



NINESTJOHNSTREET

CRIMINAL TEAM BULLETIN

30TH JUNE 2020

MOVING FORWARD

As the elements of lockdown are slowly eased, in this bulletin we keep you up to date with:

- the latest legal developments,
- cases of interest in which we were recently instructed,
- the latest news concerning the operation of the Crown Court and
- seminars and events planned for the future.

As the courts open themselves up for increased business, we look forward to meeting with our professional and lay clients and working towards some normality. We are always here to assist.

LATEST DEVELOPMENTS IN CRIMINAL LAW

[Jonathan Savage](#) provides a [summary](#) of the recent case of [R v Smith \[2020\] EWCA Crim 777](#) highlighting the importance of adhering to the Criminal Procedure Rules when seeking to adduce hearsay evidence.

[Robert Smith](#) has written a short [review](#) of the recent Sentencing Council statement on the application of sentencing principles during the Covid-19 emergency.

Our criminal pupil, Adam White, has written this interesting [article](#) on the recent authority of [ZXC v Bloomberg](#), concerning the rights to anonymity of suspects facing criminal investigation. Adam will commence his second six in August 2020. During lockdown he has been kept busy observing remote hearings, drafting written work and engaging in online advocacy training. Adam served as a councillor until 2016 and was employed as a parliamentary assistant to his local MP, before switching to a career in law.

(click on the links to access the articles and case reports)

CHAMBERS IS OPEN FOR BUSINESS

Chambers is open 5 days a week. Measures are in place to ensure we operate in a safe and socially distanced environment. Please contact us to arrange a conference in our spacious rooms. Telephone our criminal clerk Chris Swann on 0161 955 9000 or email at chris.swann@9sjs.com.

RECENT CASES

[David Bruce](#) represented a defendant convicted of aggravated burglary (see [Bolton News](#) for the press report). Referring to the recent authorities of [R v Manning](#) and [R v Jones](#), David invited the court to consider the impact of current prison conditions when determining the length of sentence. HHJ Walsh observed that the defence submissions were taken into account when imposing a sentence of 6 years imprisonment (*see left for more on this topic*).

[Andrea Lock](#) prosecuted a 2 week trial in which the defendant was charged with rapes and attempted rape. Following a successful full day of legal argument, Andrea adduced the defendant's previous conviction for serious sexual assaults on a baby. On conviction the defendant was assessed as dangerous and received 12 years imprisonment with an extended licence period of 6 years. Click the link for the [MEN report](#)

The Criminal Team

- [Charles Garside QC](#)
- [Nicholas Clarke QC](#)
- [Simon Jackson QC](#)
- [Jaime Hamilton QC](#)
- [Peter Cadwallader](#)
- [Gordon Hennell](#)
- [David Bruce](#)
- [Mark Monaghan](#)
- [Nicola Gatto](#)
- [Darren Preston](#)
- [Nigel Booth](#)
- [Geoff Whelan](#)
- [Vanessa Thomson](#)
- [Alison Heyworth](#)
- [Jonathan Savage](#)
- [Robert Smith](#)
- [Fiona Wise](#)
- [Simon Blakebrough](#)
- [Phil Barnes](#)
- [Hayley Bennett](#)
- [Andrea Lock](#)
- [Helen Longworth](#)

wider view of the Criminal Bar as evidenced in the recent [Criminal Bar Association Poll](#) results released on the 29th June 2020.

Further information concerning “Nightingale Courts” or “Blackstone courts” as the Lord Chancellor has referred to them (temporary court venues) to be set up in public buildings and other suitable spaces is due to be released shortly. It was reported by The Times on the 26th June that 10 sites had thus far been identified.

CROWN COURT UPDATES

LOCAL

In summary, the position in Crown Courts across the Northern Circuit is as follows:

- defendants on bail **must** attend, unless specifically excused
- advocates are **encouraged** to attend but
- advocates **are not compelled** to attend and
- advocates may make timely arrangements to attend remotely.

For the most recent Crown Court guidance on the listing of cases and attendance at court please use the following hyperlinks:

- [Manchester and Bolton Crown Courts Guidance Note defendants on bail 23rd June 2020](#)
- [Lancashire Crown Courts listing arrangements 23rd June 2020](#)
- [Liverpool Crown Court Guidance attendance of defendants 22nd June 2020](#)
- [Carlisle Crown Court Listing 18th June 2020](#)
- [Chester Crown Court Guidance as at the 15th June 2020](#)

Minshull Street continues to accommodate one jury trial at a time. Manchester Crown Square and Liverpool Crown Court were due to commence their first Crown Court trials this week (commencing the 29th June). It is hoped that with the change in social distancing guidance, there may be a small increase in the number of trials that can take place in one court building.

NATIONAL

An announcement is expected soon concerning reforms to the criminal justice system to deal with the ever-increasing backlog of cases. As a team, we oppose any abolition of the right to trial by jury in the Crown Court, even temporarily. This reflects the

LEGAL CAREER SEMINAR WITH JAIME HAMILTON QC

On the 7th July 2020 at 7:30pm, Jaime Hamilton QC will be chairing a seminar via Zoom for anyone aged 16 years or upwards considering a career in law. There will be some great guest speakers including HHJ Louise Brandon (formerly of our chambers). If you know a young person who may be interested, please encourage them to register as places are limited. For more details please follow this [Twitter Link](#)

CRIMINAL TEAM ZOOM QUIZ

10th JULY 2020 at 8pm

Following on from our successful evening of Blankety Blank, our social committee are in the process of organising a further great evening of entertainment. By popular demand we will be returning to the traditional quiz format. All our professional clients are welcome to participate in what should be a fun, friendly and relaxed evening.

Further details, including confirmation of the time and date to follow.

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Useful links

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