

For our use only

439/05	GRANT
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# Application

This form is for anyone who wants us to review a conviction or sentence that they think is wrong. We have written the form as though the person who was convicted is going to fill it in, but anyone can do this for them.

## Important

We deal with **criminal** cases from England, Wales, and Northern Ireland if:

- there has already been an appeal (or leave to appeal has been refused); and
- there is some new factor which the courts have not considered before; or
- there are 'exceptional circumstances'.

This means that we cannot deal with civil or military court cases. Our information pack explains our powers more fully. If you do not already have a pack, you can get one from the address shown below.

It is a good idea to get a solicitor to help you with your application. Our information pack contains a sheet explaining that you may have a right to free advice and help from a solicitor. All solicitors who have a criminal contract with the Legal Services Commission are allowed to give advice about applications.

Please answer all of the questions, if you possibly can. If you need any help filling in this form, please contact us. When you have filled it in, please send it to us at



## Criminal Cases Review Commission

Alpha Tower, Suffolk Street Queensway, Birmingham B1 1TT.

Phone: 0121 633 1800 Fax: 0121 633 1823

*We will write to you straight away to tell you that the form has arrived.*

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# Part 1A What we need to know about you

(If you are filling this in for someone else, please give that person's details here and your own details in the lower half of this section in part 1B.)

Surname  
GRANT

First names  
CAUL SILFORD

If you were using a different name at any stage during your case, please give that name here.

N/A

Date of birth

29 / 12 / 61  
day / month / year

Are you:

male?  female?

If you are in prison, what is your prison number?

JC8360

What is the name of your prison?

HMP THE VERNE

What is your automatic release date?

14 / 12 / 2008  
day / month / year

What is your parole eligibility date?

15 / 08 / 07  
day / month / year

Your address and postcode (This should be the address you would like us to use when we write to you.)

HMP THE VERNE  
PORTLAND, DORSET  
Postcode DTS 1EQ Phone

# Part 1B Details of anyone now representing you or helping you with your application

(We are not allowed to discuss the details of your case with anyone except you and your representative. If you do not have a solicitor, you may name a relative, friend or supporter instead. To avoid confusion, we will only deal with one representative.)

Name

Is he or she a:

solicitor?  relative?  friend?  supporter?

Address  
Postcode  
Phone Fax

it all right for us to discuss your case with this person?

Yes  No

2

# Part 2

## What we need to know about the case you would like us to review

In which court did your trial take place?

CROYDON CROWN

Was this a:

crown court?

magistrates' court?

What was the date of your conviction?

12 / 12 / 03  
day / month / year

What was your crown court number or case number?

T2003 0670

What was the date of your sentence?

06 / 02 / 04  
day / month / year

If you were accused with anyone else (co-accused), what were their names?

N/A

What were the offences that you were tried for, and what was the result for each one?

Offence	How did you plead in court? <small>(Please tick)</small>		Do you want us to review your conviction?	What sentence did you receive?	Do you want us to review your sentence?
	Guilty	Not guilty			
IMPORTATION OF CANNABIS X 8 COUNTS		✓	YES	4 YEARS FOR EACH COUNT FROM 1-7 CONCURRENT AND 4 YEARS FOR COUNT 8 TO RUN CONSECUTIVE TO COUNT 1 TOTAL 8 YEARS	NO

It would help us to know the following.

Which police force (or other authority) dealt with your case?

CUSTOMS AND EXCISE

If your trial was in a crown court, which magistrates' court sent you there?

HAYWARDS HEATH



## Part 4

### What we need to know about your application to us

Remember that in most cases we have to find something new about your case. This must be something that has not been considered by any of the courts so far.

Usually we cannot take on your case if:

- you have not appealed;
- you have not asked a court for leave to appeal; or
- there are no new arguments or evidence.

In exceptional circumstances, we may be able to deal with your case if you have not met these conditions. Exceptional circumstances are very rare. Here are some examples which we have thought of as 'exceptional circumstances'.

- You know of new scientific knowledge which casts doubt on expert evidence given at your trial.
- Your co-defendants' cases have already been referred to an appeal court for reasons that affect your case.
- You were prevented from appealing by serious threats against you or your family.
- You are not able to draw up grounds of appeal because you have not been able to get access to information that a public organisation possesses.

Please use this space to tell us what you think went wrong and what is new about your case. If there is nothing new, but you think there are 'exceptional circumstances' that we should know about, please tell us what the circumstances are and what you can show us to support what you say.

① My TRIAL AND CONVICTION VIOLATED ALL PRINCIPLES AND RULES OF NATURAL JUSTICE, MY TRIAL WAS PREJUDICIAL AND BIAS, WHICH VIOLATED PROCEDURAL FAIRNESS GUARANTEED UNDER ARTICLE 6 (1) OF BOTH THE EUROPEAN CONVENTION ON HUMAN RIGHTS AND THE HUMAN RIGHTS ACT 1998. THE ILLEGALITY OF IMPORTING CANNABIS IS NOT CONTESTED AND THEREFORE NOT AN ISSUE. THE ISSUE IN THIS CASE IS THE VIOLATION OF THE RULE OF LAW, AGAINST ME, BY THE JUDICIARY, WHICH REMAINS UNREMEDIED. THE VIOLATIONS OF MY RIGHTS, PROTECTED BY THE RULE OF LAW, IS THE FOUNDATION OF MY DEFENCE WHICH IS ALSO ENSHRINED UNDER SECTION 6 (1) OF THE HRA 1998 WHICH MAKES IT UNLAWFUL FOR A PUBLIC AUTHORITY TO ACT IN A WAY WHICH IS INCOMPATIBLE WITH A CONVENTION RIGHT, AND UNDER SECTION 7 (1) (B) A PERSON WHO CLAIMS THAT A PUBLIC AUTHORITY HAS ACTED (OR PROPOSES TO ACT) IN A WAY WHICH IS MADE UNLAWFUL BY SECTION 6 (1) MAY RELY ON THE CONVENTION RIGHT OR RIGHTS

CONTD ON SEPERATE PAGE

①

CONT'D FROM PART 4 OF APP.

CONCERNED IN ANY LEGAL PROCEEDINGS, IF HE OR SHE IS (OR WOULD BE) A VICTIM OF THE UNLAWFUL ACT.

SECTION 6 (3) CLARIFIES THAT "PUBLIC AUTHORITY" INCLUDES:

2 A COURT OR TRIBUNAL AND ANY PERSON CERTAIN OF WHOSE FUNCTIONS ARE FUNCTIONS OF A PUBLIC NATURE.

3 THE JUDICIARY HAS COMPROMISED THE INTEGRITY OF THE CIVIL AND CRIMINAL JUSTICE SYSTEM AND HAVE IRREVOCABLY VIOLATED THE RULE OF LAW.

4 THE VIOLATION BEGAN WHEN A HIGH COURT JUDGE, MR JUSTICE TOULSON, GRANTED AN UNLAWFUL INJUNCTION AGAINST ME TO HIS BROTHER, ALAN TOULSON, OR HIS BROTHER'S LAW FIRM REYNOLDS PORTER CHAMBERLAIN, AT HIS OR THEIR REQUEST. (DATE OF INJUNCTION DEC 1998)

5 ALAN TOULSON OR HIS LAW FIRM LATER WENT BACK TO MR JUSTICE TOULSON MAKING FALSE ALLEGATIONS CLAIMING THAT I HAD BREACHED THE UNLAWFUL INJUNCTION. WITHOUT GIVING ME ANY OPPORTUNITY TO DEFEND THE FALSE ALLEGATIONS, MR JUSTICE ORDERED THAT I SHOULD BE ARRESTED AND TAKEN DIRECT TO PRISON WITHOUT ANY APPEARANCE IN COURT. IT WAS ORDERED THAT I SHOULD SERVE 6 MONTHS. (DATE OF UNLAWFUL HEARING FEB 1999, UNLAWFUL IMPRISONMENT MARCH + MAY 1999)

6 IN GRANTING THE UNLAWFUL INJUNCTION, CONDUCTING AN UNLAWFUL HEARING, WHICH LED TO MY IMPRISONMENT, MR JUSTICE TOULSON VIOLATED ARTICLES 5 AND 6 OF THE EUROPEAN CONVENTION AND HUMAN RIGHTS ACT 1998.

6

7 THE FAILURE OF THE COURTS TO REMEDY THE VIOLATIONS IS A FURTHER VIOLATION OF ARTICLE 5(5) OF THE HRA 1998 AND ARTICLE 13 OF THE ECHR. BOTH ARTICLES GUARANTEE REMEDIAL PROTECTION AND AN ENFORCEABLE RIGHT TO COMPENSATION FOR THE RIGHTS THEY PROTECT.

8 I WAS UNABLE TO FIND A SOLICITOR HONOURABLE ENOUGH TO REPRESENT MY INTERESTS AND IN FEBRUARY 2001 I PRESENTED MY COMPLAINT TO THE EUROPEAN COURT OF HUMAN RIGHTS.

9 DESPITE THE FACT THAT THE ISSUES COMPLAINED OF WERE ONGOING, THE COURT RULED THAT I HAD COME TOO LATE AND WAS THEREFORE UNABLE TO HELP.

10 THE DECISION OF THE EUROPEAN COURT PLACED ME OUTSIDE THE PROTECTION OF THE LAW, LEAVING ME WITH ABSOLUTELY NOWHERE TO TURN.

11 SINCE THEN I HAVE BEEN FURTHER VICTIMIZED THROUGH SEVERAL FALSE ARRESTS AND PERIODS OF FURTHER FALSE IMPRISONMENT.

12 THE RULE OF LAW GIVES EVERYONE THE INALIENABLE RIGHT OF SELF DEFENCE, USING THE MINIMUM FORCE NECESSARY FOR SELF PROTECTION AND OR SELF PRESERVATION.

13 THE LAW, HOWEVER, DOES NOT PREDETERMINE WHAT IS MINIMUM FORCE, THE PREREQUISITE IS NECESSARY.

14 THEREFORE, ANY CONDUCT, WHICH WOULD OTHERWISE BE A CRIME, IS NEGATED WHERE NECESSITY IS JUSTIFIED. THIS FACT OF LAW IS FURTHER ENDORSED BY THE RIGHT

(3)

TO FREEDOM OF SPEECH AND THE RIGHT TO PROTEST.

ARTICLE 7 OF THE HUMAN RIGHTS ACT, WHICH GUARANTEES  
'NO PUNISHMENT WITHOUT LAW', PROHIBITS PUNISHMENT FOR  
15 CONDUCT WHICH IS NOT CRIMINAL ACCORDING TO THE  
GENERAL PRINCIPLES OF LAW. PROVEN SELF DEFENCE,  
EVEN IF IT RESULTS IN KILLING, IS NOT CRIMINAL ACCORDING  
TO THE GENERAL PRINCIPLES OF LAW.

16 A PERSON WHO IS ATTACKED BY ANOTHER PERSON WEILDING  
A WEAPON WHO TURNS THAT WEAPON UPON THE ATTACKER  
AND CAUSES THE ATTACKER INJURY DOES NOT COMMIT A  
CRIMINAL OFFENCE.

17 I USED THE PROCESS OF THE LAW TO DEFEND MYSELF  
FROM YEARS OF ATTACK UPON ME BY MEMBERS OF THE  
JUDICIARY ABUSING THEIR POWER AND VIOLATING THE RULE  
OF LAW. IN OTHER WORDS, THE SAME WEAPON WHICH WAS  
BEING USED TO ATTACK ME, WAS USED BY ME TO DEFEND  
MYSELF.

18 IF THE JUDICIARY WAS NOT MY ATTACKER, THERE WOULD  
NOT HAVE BEEN PREJUDICE OR BIAS AT MY TRIAL AND  
THE TRIAL JUDGE WOULD NOT HAVE MISDIRECTED THE  
JURY BY TELLING THEM "THERE IS NO DEFENCE OF  
JUSTIFICATION IN ENGLISH LAW"

19 IF I WAS AFFORDED MY RIGHTS GUARANTEED BY LAW I WOULD  
NOT HAVE BEEN FOUND GUILTY FOR DEFENDING MYSELF  
WITHIN THE GENERAL PRINCIPLES OF THE LAW.

20 AND, IF NOT FOR THE ONGOING PREJUDICE AND BIAS I  
WOULD NOT HAVE BEEN PREVENTED FROM APPEALING

MY UNLAWFUL CONVICTION AND IMPRISONMENT.

21 ONE OF THE CURRENT LAW LORDS, LORD STEYN PREVIOUSLY EXPLAINED AS FOLLOWS:

22 "IT WILL BE NOTED THAT THE EFFECT OF SECTION 6(1) IS TO PROVIDE THAT IT IS UNLAWFUL FOR THE HOUSE TO ACT IN A WAY, WHICH IS INCOMPATIBLE WITH A CONVENTION RIGHT... GIVEN THAT IT IS EXPRESSED TO LIMIT THE WAY IN WHICH A COURT MAY ACT, IT IS DIFFICULT TO ESCAPE THE CONCLUSION THAT IN THE RELEVANT SENSE NO APPELLATE COURT MAY ACT INCOMPATIBLY WITH A CONVENTION RIGHT. SURELY, FOR AN APPELLANT COURT TO UPHOLD A CONVICTION OBTAINED IN BREACH OF A CONVENTION RIGHT, MUST BE TO ACT INCOMPATIBLY WITH A CONVENTION RIGHT. IT IS UNLAWFUL FOR IT TO DO SO."

23 BY DENYING ME ACCESS TO COURT, AS A PERSON UNREPRESENTED BY COUNSEL, TO HEAR AND BE HEARD, TO OBSERVE AND TO MAKE SUBMISSIONS SUPPORTING MY APPLICATION FOR LEAVE TO APPEAL, THE APPELLATE COURT VIOLATED ARTICLE 6 (1) OF THE EUROPEAN CONVENTION AND THE HUMAN RIGHTS ACT 1998

24 LONG BEFORE THE WHOLE JUDICIARY BECAME CORRUPT, I PRESENTED MY COMPLAINT TO HER MAJESTY THE QUEEN WHO INSTRUCTED THAT MY COMPLAINT BE FORWARDED DIRECTLY TO THE FORMER LORD CHANCELLOR, LORD IRVINE OF LAIRS, HOWEVER, LORD IRVINE FAILED IN HIS OBLIGATIONS TO THE RULE OF LAW AND ALLOWED A SMALL CRACK TO BECOME A HUGE BREAK. NO DOUBT THIS IS THE REAL REASON FOR HIS SUDDEN RESIGNATION AND THE UNPLANNED ANNOUNCEMENT OF THE ABOLISHMENT OF THE

(5)

1,400 YEAR-OLD TRADITION OF ENGLISH JUSTICE SYSTEM

25 THE LORD CHIEF JUSTICE, LORD WOOLF RECENTLY SAID, IN A SPEECH MADE AT THE UNIVERSITY OF HERTFORDSHIRE:

26 " IN POLITICAL, ACADEMIC AND LEGAL CIRCLES, THERE WERE MANY WHO WERE PROPOSING CHANGE. NONETHELESS, IT CAME AS AN IMMENSE SHOCK WHEN THE PRIME MINISTER MADE HIS ANNOUNCEMENT ON THE 12<sup>TH</sup> OF JUNE 2003 THAT, HENCEFORTH, THE OFFICE OF LORD CHANCELLOR WOULD BE ABOLISHED AND IN ITS PLACE THERE WOULD BE A MINISTER OF CONSTITUTIONAL AFFAIRS. HOW IT CAME ABOUT THAT THIS ANNOUNCEMENT COULD HAVE BEEN MADE IN THE WAY THAT IT WAS EVENTUALLY WILL BECOME KNOWN. IN THE MEANTIME, IT IS A MYSTERY "

I AM FULLY AWARE OF THE SEVERE IMPLICATIONS FOR THE ENTIRE CIVIL AND CRIMINAL JUSTICE SYSTEM, BUT JUDGES ARE NOT ABOVE THE LAW. THEY ARE PLACED

27 IN THE HIGHEST POSITION OF TRUST IN ANY DEMOCRATIC SOCIETY GOVERNED BY THE RULE OF LAW AND ARE EXPECTED AND REQUIRED TO MAKE LAWFUL DECISIONS AND JUDGMENTS IRRESPECTIVE OF THE IMPACT ON THEMSELVES OR SOCIETY.

28 ANY VIOLATIONS OF THE RULE OF LAW BY A JUDICIAL DECISION OR JUDGMENT, WITHOUT REMEDY, IS A STEP ON THE ROAD TO ANARCHY.

29 NOT EVEN THE MOST HEINOUS CRIME CAN BE COMPARED TO A DELIBERATE BREACH OF JUDICIAL TRUST.

30 THE FUNDAMENTAL ROLE OF ALL COURTS IS TO SEEK TRUTH

(b)

UPON WHICH JUSTICE SHOULD BE GUARANTEED BASED ON THE RULE OF LAW.

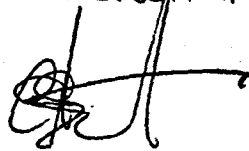
31 THE ACT OR ACTIONS FOR WHICH I'M UNLAWFULLY CONVICTED AND UNLAWFULLY IMPRISONED WERE AN ACTION CONDUCTED WITHIN THE DEMOCRATIC AND FUNDAMENTAL RIGHT OF PROTEST AND WITHIN THE FUNDAMENTAL AND INALIENABLE RIGHT OF SELF DEFENCE PROTECTED AND GUARANTEED BY THE RULE OF LAW.

32 MY CONVICTION AND IMPRISONMENT IS NOT A MISCARRIAGE OF JUSTICE, INSTEAD, IT IS THE MOST SEVERE PERVERSION OF JUSTICE IMAGINABLE.

33 WHEN JUDGES BECOME THE VIOLATORS OF RIGHTS, WHO DOES THE VICTIM TURN TO?

34 I HOPE THE COMMISSION CAN LOOK AGAIN AT THE ISSUES INVOLVED IN THIS MATTER THOROUGHLY WITH AN OPEN, INDEPENDENT AND IMPARTIAL MIND ACCOUNTABLE ONLY TO THE PUBLIC.

35 DOCUMENTED EVIDENCE SUBMITTED WITH THIS APPLICATION INCLUDING THE FOLLOWING: TRIAL JUDGE'S SUMMING UP, MEDICAL REPORT, LETTER FROM BUCKINGHAM PALACE, LETTER FROM LORD CHANCELLOR'S DEPT. CONFIRMING MR JUSTICE TOULSON'S UNLAWFUL ACTION, DECISION OF FULL COURT.



1<sup>ST</sup> JUNE 2005

C. GRANT

## Part 5

### Personal Circumstances

Are there any factors about your personal circumstances, for example, your health or the health of others involved in your case, that you think we should know about? If so, please give us brief details here.


## Part 6

### Papers we would like you to send us (if you can)

Before we can understand your case fully, we will need to see some of the papers from earlier on in your case. If you do not have them, we can probably get them.

We have the power to tell any public organisations which hold material about your case not to destroy it. When we are ready to deal with your case, we will ask them to send us the information, if we feel it would help our review.

Here is a list of some papers, relating to your appeal, that might help us at this early stage. Please tick any you are sending with this application.

Title of document	Tick if you have enclosed them
Advice on appeal	
Grounds of appeal	✓
Single judge's decision on leave to appeal	✓
Court of Appeal judgement <i>THE DECISION OF FULL COURT ON RENEWED APPLICATION</i>	✓

You do not need to send us any other papers at this stage. We will ask you for other papers when we need them. If you do send other documents with this form, please list them below.

Title of document
<i>TRIAL JUDGE'S SUMMING UP</i>
<i>MEDICAL REPORT</i>
<i>LETTER FROM BUCKINGHAM PALACE</i>
<i>LETTER FROM LORD CHANCELLOR'S DEPT.</i>
<i>DECISION OF EUROPEAN COURT</i>
<i>"SUMMARY" FOR RENEWED APPLICATION</i>
<i>MY RESPONSE TO SUMMARY</i>
<i>JUDGMENT OF THE FULL COURT</i>