



FOR OFFICIAL USE -
PLEASE LEAVE BLANK

CAO No 200300028-D4

Form **NG**
(Forms 2 & 3)

**NOTICE and GROUNDS of appeal or application for leave to appeal to
THE COURT OF APPEAL CRIMINAL DIVISION**

ON COMPLETION PLEASE SEND THIS FORM TO THE CROWN COURT WHERE TRIED OR SENTENCED

Please read the notes for guidance attached. Write in **BLACK INK** and use **BLOCK CAPITALS**

The Appellant Surname GRANT Prison Index No JL8360

19 DEC 2003
Aliases CAUL SILFORD

Address (if not in custody) _____ Prison HMP HIGH DOWN
HIGHTDOWN LANE
SURREY
SM2 5PJ

Postcode _____ Date of birth 29-12-61

The Court where tried or sentenced The Crown Court at CROYDON Name of Judge JUDGE PRATT

Date Trial started 8TH DEC 03 Date of conviction 12TH DEC 03

Date of sentence NOT YET PASSED (DUE 16TH JANUARY 2004)

Total period of remand in custody prior to sentence 4 MONTHS PRIOR TO CONVICTION

The Conviction(s) and/or sentence(s)	Crown Court Case number(s)	Count or charge No.	Offence(s)	Sentence
The full Crown Court case number(s) must be given, and particulars of ALL counts, offences and sentences included	<u>T20030670</u>	<u>ALL</u>	<u>UNLAWFUL IMPORTATION OF A CLASS B DRUG</u>	
				Total sentence

Applications

The appellant is applying for:

Please tick (✓) as appropriate

Extension of time in which to apply for leave to appeal against conviction and/or sentence

Leave to appeal against conviction

Leave to appeal against sentence

Legal aid

Bail

Leave to call a witness

MM

115

92


APPELLANTS IN CUSTODY ONLY

I understand that if the single judge and/or the Court is of the opinion that the application for leave to appeal is plainly without merit, an order may be made that time spent in custody as an appellant shall not count towards sentence.

ALL APPELLANTS

I understand that if the Court dismisses my appeal or application it may make an order for payment of costs against me, including the cost of any transcript obtained.

[This form should be signed by the appellant but may be signed by his/her legal representative provided the WARNINGS set out above have been explained to him/her. NB. If signed by a legal representative a copy of the form will be sent to an appellant in custody].

Signature 
(of appellant or any person signing on behalf of the appellant)

Date 17TH DECEMBER 2003

Legal Representation (please use BLOCK CAPITALS)

Name of Counsel _____ Address _____

Telephone No _____

Reference _____ Post code _____ DX No _____

Name of Solicitor _____ Address _____

Telephone No _____

Reference _____ Post code _____ DX No _____

Grounds of appeal

There is no prescribed format for grounds of appeal. They must be attached to this application form. Please also see the attached guidance notes.

- NB. (1) Where grounds have been settled by counsel they must be signed by counsel with the name of counsel printed underneath. Counsel should also indicate whether s/he wishes to perfect grounds.
- (2) Any report which is relied upon and which was not retained by the Crown Court must be copied and attached to this application form.

Transcripts

On an application for leave to appeal against conviction a transcript of the trial judge's summing up is obtained by the Registrar as a matter of course. The Registrar will also obtain transcript of the sentencing judge's remarks on an application for leave to appeal against sentence.

Any request for additional transcript must be attached to the application form with the grounds of appeal. The request should particularise the transcript, specifying the dates and times of that transcript. Failure to give such detail could result in unnecessary delay and prejudice the applicant.

Transcript obtained by means other than through the Registrar may result in the costs of same not being allowed upon legal aid determination in cases subject to an order for legal aid representation.

COURT OF APPEAL
CRIMINAL DIVISION

B

NOTICE OF APPLICATION
FOR
BAIL

To the Registrar, Criminal Appeal Office

REF. No.

Royal Courts of Justice, Strand, LONDON, W.C.2A 2L

Write legibly in black

Particulars of APPELLANT	FULL NAMES <small>Block letters</small>	FORENAMES	SURNAME
	CAUL SILFORD GRANT		
	ADDRESS <small>If detained give address where detained</small>	INDEX NUMBER if detained	
	HMP HIGH DOWN HIGHDOWN LANE SURREY SM2 5PJ		JL8360

APPELLANT
(See Note 6)

Address if granted Bail	Amount of Recognizance offered
32 RIVERSIDE ROAD	£ 10,000
STRATFORD	
LONDON E15 2R9	

SURETIES
(See Note 7)

Names, addresses, occupations	Amount of Recognizance offered
MR + MRS L TONEL GRANT (PARENTS, RETIRED)	£ 10,000
FLAT 1	
29 KELLY AVENUE	
PECKHAM, LONDON SE15	
	£ _____

If bail was granted before trial or sentence state:-

Amounts of Recognizances	APPELLANT	SURETIES
	£	£ and £
Were the sureties the persons named above?		
What, if any, special conditions were imposed?		

The appellant applies for bail pending appeal/retrial on the following grounds:-

THE SAME GROUNDS AS GROUNDS OF APPEAL. IN ADDITION THE APPELLANT POSES NO THREAT AND HAS STRONG FAMILY TIES IN THE COMMUNITY AND TIME SPENT IN CUSTODY IS NOW 4 MONTHS AT THE DATE OF SIGNING THIS DOCUMENT. THERE IS NO CHANCE OF THE APPELLANT FLEEING JUSTICE AND A SWORN PROMISE NOT TO COMMIT ANY OFFENCE, HOWEVER MINOR, WHILST ON BAIL.

(Signed) (Appellant)	DATE 17-12-03	Address of person signing on behalf of appellant (See Note 5)
		FOR USE IN THE CRIMINAL APPEAL OFFICE Received

GROUNDS OF APPEAL

I, THE APPELLANT, ^{AM} IS CHARGED WITH EIGHT COUNTS OF IMPORTATION OF A CLASS B DRUG, NAMELY CANNABIS.

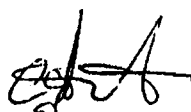
THE DEFENCE RELIED ON FROM THE POINT OF ARREST AND THROUGHOUT TRIAL IS JUSTIFICATION AND BELIEF OF CONSENT.

ON INTERVIEW BY CUSTOMS & EXCISE AND DURING GIVING EVIDENCE IN COURT, I STATED THAT MY ACTIONS WERE JUSTIFIED AS A RESULT OF CIRCUMSTANCES. I ALSO STATED, AS A RESULT OF THE NUMBER OF TRIPS WITHOUT INTERVENTION, I BELIEVED I HAD CONSENT. I SUBMITTED SEVERAL PIECES OF DOCUMENTED EVIDENCE SUPPORTING MY DEFENCE. IN ADDITION I RELIED ON SECTION 1 AND 2 OF ARTICLE 7 H.R.A 1998.

✓ HIS SUMMING UP HIS HONOUR JUDGE ^{PRATT,} STARTED BY TELLING THE JURY THAT THERE IS NO DEFENCE OF JUSTIFICATION IN ENGLISH LAW. HE ALSO TOLD THE JURY THAT THIS WAS NOT A CASE FOR ME TO PROVE MY INNOCENCE. WHEN READING HIS ABBREVIATED NOTES OF MY EVIDENCE, HE MADE NO REFERENCE TO THE

ISSUES I RAISED IN MY DEFENCE. IN HIS DIRECTIONS ON ARTICLE 7 HE ONLY GAVE THE SURFACE INTERPRETATION OF SECTION ONE AND DID NOT GIVE ANY DIRECTION ON SECTION TWO. THE JUDGE FINALLY TOLD THE JURY, IF THEY DID NOT FIND ME GUILTY NO OTHER JURY COULD AND I'LL GO FREE AND BE ABLE TO DO AS I PLEASE.

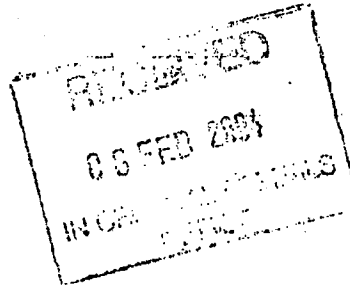
IT IS SUBMITTED THAT THE JURY WERE NOT PROPERLY GUIDED ON DEFENCES OF JUSTIFICATION AND AS A RESULT OF THE JUDGE'S OVERALL SUMMING UP THE JURY WAS PLACED UNDER PRESSURE TO RETURN A VERDICT OF GUILTY. HIS HONOUR'S VIEWS TOOK AWAY THE JURY'S INDEPENDENCE AND IMPAIRED THEIR COMMON-SENSE APPROACH TO ALL THE EVIDENCE SUBMITTED. DEPRIVING THE JURY OF THEIR IMPARTIALITY IS A BREACH OF ARTICLE 6 AND THEREFORE, THAT BEING THE CASE, RENDERS MY CONVICTION UNSAFE AND SHOULD THEREFORE BE QUASHED.

 17TH DEC. 03

THE REGISTRAR
R. C. J
STRAND

PAUL GRANT
JC8360
HMP HIGH DOWN
HIGHDOWN LANE
SURREY SM2 5PJ

200400028-D4



05-02-04

DEAR REGISTRAR

PLEASE FIND ENCLOSED PERFECTED GROUNDS OF APPEAL

THIS HAS BEEN DONE TO THE BEST OF MY ABILITY AND UNDERSTANDING. I HOPE IT MEET A DEGREE OF THE STANDARD REQUIRED FROM A DEFENDANT IN PERSON. ACCESS TO PHOTOCOPYING IN PRISON IS LIMITED AND EXPENSIVE SO I WOULD BE GRATEFUL IF YOU WOULD SEND ME COPIES.

THANK YOU IN ADVANCE
YOURS FAITHFULLY

P.S. COULD YOU PLEASE ATTACH THE MEDICAL NOTES TO MY GROUNDS OF APPEAL. THIS REPORT IS VITAL TO MY APPEAL AS IT WAS ORDERED BY THE COURT BELOW.

GROUNDAS OF APPEAL

REGINA

v

CAUL SILFORD GRANT

IN SETTING OUT AND PERFECTING MY GROUNDS OF APPEAL, I WILL START BY SAYING THAT I MAKE NO CLAIM TO BE AN EXPERT IN LAW. I AM, HOWEVER, A DEFENDANT IN PERSON WHO HAS APPROACHED MY POSITION WITH A COMMON SENSE VIEW BASED ON THE FUNDAMENTAL PRINCIPLES OF THE RULE OF LAW. I HAVE ACTED IN ACCORDANCE AND PURSUANCE OF A MANIFESTATION OF RELIGIOUS BELIEF IN ACCORDANCE WITH THE HISTORIC TEACHINGS AND PRACTICE OF A CHRISTIAN TRADITION REPRESENTED IN GREAT BRITAIN. THIS INCLUDES OBSERVANCE AND CONFORMITY TO MORAL AND ETHICAL PRACTICES HUMAN RIGHTS ACT 1998 SS 4. (RIGHT OVER WRONG JUSTICE SHALL PREVAIL)

MY TRIAL AND CONVICTION BREACHED ALL KNOWN LAID DOWN PRINCIPLES OF FAIRNESS, IMPARTIALITY AND INDEPENDENCE, WHICH ARE THE VERY BASIC INGREDIENTS OF JUSTICE.

AT MY TRIAL I RELIED ON THE STATUTORY DEFENCE
GUARANTEED UNDER ARTICLE 7 OF THE HUMAN RIGHTS ACT 1998
WHICH GUARANTEES 'NO PUNISHMENT WITHOUT LAW' OR THE
WIDER INTERPRETATION, NO PUNISHMENT OUTSIDE THE PROTECTION
OF LAW. WITHIN THE SAME ARTICLE, UNDER SECTION 2, IS THE
GUARANTEE OF PROTECTION FROM PERSECUTION THROUGH AN ABUSE
OF POWER AND PROTECTION FROM PROSECUTION, ACTS, WHICH
WOULD OTHERWISE BE A CRIME, CARRIED OUT AS A RESULT OF
PERSECUTION BY THE STATE OR WITH THE KNOWLEDGE OF THE
STATE. MY COMMON SENSE UNDERSTANDING OF THIS IS, IF
PERSECUTION CAN BE PROVED, THEN ACTS CARRIED OUT UNDER
DURES OF CIRCUMSTANCES CANNOT BE REGARDED AS CRIMINAL,
THEREFORE JUSTIFYING THE ACTIONS OF THE PERSON WHO
SUFFERED THE PERSECUTION.

WITHIN THE SAME LAW IT IS ARGUED OR CAN BE ARGUED
THAT NO LAWBREAKER CAN BE A LAW ENFORCER. IT WOULD

Ⓟ 27 99

BE WHOLLY SANCTIMONIOUS, AND HYPOCRITICAL, IMMORAL AND UNETHICAL IF I WAS A POLICE OFFICER WHO ILLEGALLY IMPORTED CANNABIS AND THEN WENT ON TO ARREST AND PROSECUTE SOMEONE ELSE FOR DOING THE SAME.

THE PREMISE OF ARTICLE 7 IS FOUND IN THE PREAMBLE OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS 1948

"WHEREAS IT IS ESSENTIAL IF MAN IS TO BE PREVENTED FROM HAVING REBELLION AS A LAST RESORT HIS RIGHTS SHOULD BE PROTECTED PROTEGE PROTECTED BY THE RULE OF LAW"

SURELY THE INTENTION OF ARTICLE 7 IS THE PROTECTION FROM TYRANNY AND OR OPPRESSION BY THE POWERS OF STATE.

IN MY DEFENCE I ALSO ARGUED THAT I BELIEVED I HAD CONSENT. THIS BELIEF CAME FROM THE NUMBER OF PREVIOUS 'CRIMINAL' ACTIVITIES WHICH WERE OPENLY IGNORED BY THE STATE AND FROM A STATEMENT MADE BY HIS HONOUR JUDGE INMAN, WHO ACKNOWLEDGED THAT THE INTEGRITY OF THE CRIMINAL JUSTICE SYSTEM AND THE RULE OF LAW

HAD BEEN COMPROMISED. MY BELIEF WAS FURTHER CONFIRMED
BY THE NUMBER OF TRIPS I MADE WITHOUT INTERVENTION.
NONE OF MY ACTIONS WERE COVERTLY EXECUTED, INFACT I DROVE
MY CAR FOR THREE YEARS WITHOUT TAX OR INSURANCE AND
WHENEVER I WAS STOPPED BY A POLICE OFFICER, AS SOON AS
THEY CONDUCTED A NAME AND VEHICLE ^{CHECK}, THEY WOULD THEN
SHAKE MY HAND AND WISH ME A SAFE JOURNEY HOME.
IF MY INTERPRETATION OF ARTICLE 7 AND THE BELIEF I HAVE
IS CORRECT, THEN I SHOULD NOT HAVE FACED A JURY
TRIAL. FACTS OR ISSUES OF LAW IS FOR A JUDGE TO
DECIDE.

THE DRIVING FORCE BEHIND MY PERSECUTION STEMS FROM ONGOING
JUDICIAL CORRUPTION. THIS IS WELL DOCUMENTED.

THE RESULTING FACTOR IS THAT I'M DENIED MY RIGHTS, AS IS
GUARANTEED UNDER ARTICLE 6 H.R.A, TO A FAIR INDEPENDENT
~~IN~~ IMPARTIAL TRIBUNAL.

(4)

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IN ANY EVENT, IF MY INTERPRETATION OF ARTICLE 7 AND MY BELIEF ARE WRONG, THE BIAS EXPOSED IN THE SUMMING^{UP} OF MY TRIAL AND THE EVIDENCE BREACHES ARTICLE 6 AND RENDERS MY CONVICTION UNSAFE.

TURNING TO THE TRANSCRIPT, THE FIRST MISDIRECTION BY JUDGE PRATT IS FOUND ON PAGE 3 - LINE - 7, "IT IS NEVER FOR ANY DEFENDANT TO PROVE HIS OR HER INNOCENCE" AND CONTINUES TO LINE 14. IF THE JUDGE IS RIGHT WITH THE TERM 'NEVER', WHAT ABOUT STATUTORY EXCEPTIONS? SUCH AS DURESS, ALIBI, PROVOCATION AND MISTAKEN BELIEF IN CONSENT. WHILST THESE ARE MATTERS FOR THE PROSECUTION TO DISPROVE, THEY OFFER AN EXPLANATION WHICH THE JURY ARE ONLY REQUIRED TO CONSIDER ON THE BALANCE OF PROBABILITIES. THE JUDGE FAILED TO EXPAND ON THIS.

ON PAGE 5, LINE 9-12 JUDGE PRATT PLANTS A ONE

(7) 24 102

WAY FRAME OF MIND FOR THE JURY BY FURTHER MISDIRECTION

BY TELLING THE JURY THERE IS NO ^{LEGAL} COMPLICATION TO

THIS CASE AT ALL AND GOING ON TO SAY I OFFERED

NO DEFENCE KNOWN TO ENGLISH LAW, HE IS LITERALLY TELLING

THEM TO FIND ME GUILTY, HE FURTHER COMPOUNDS

THIS FROM LINE 13 - 16 'THERE IS NO DEFENCE OF

JUSTIFICATION IN ENGLISH LAW'. HOWEVER, HE IMMEDIATELY

CONTRADICTS HIMSELF BY POINTING OUT DEFENCES WHICH CAN

JUSTIFY A PERSON'S ACTIONS. THEY INCLUDE, DURESS, SELF-

DEFENCE, MISTAKE AND DURESS OF CIRCUMSTANCES, THESE ARE

ALL DEFENCES OF JUSTIFICATION OR EXCUSE - LINE 17-18

THE JUDGE DESTROYS MY DEFENCE BY STATING "NONE OF

THOSE DEFENCES APPLY TO THIS CASE". THIS DIRECTION WAS

WHOLLY MISLEADING AND INCORRECT. HAVING TOLD THE JURY

THAT NONE OF THESE DEFENCES APPLY TO MY CASE, THE

JUDGE, ON PAGE 6 LINE 1-25, GIVES FURTHER EXPLANATION

OF DEFENCES INVOLVING JUSTIFICATION. CONSIDERING HE HAS ALREADY TOLD THE JURY "THERE IS NO DEFENCE OF JUSTIFICATION IN ENGLISH LAW", ON LINE 7, WHILST GIVING AN EXAMPLE FROM BLACKSTONE'S CRIMINAL PRACTICE, HE QUOTES "IF THE ACCUSED HAS A DEFENCE OF JUSTIFICATION AVAILABLE, THEN HE HAS NOT ACTED UNLAWFULLY." AS FAR AS THE JURY WERE CONCERNED THIS WAS A FREE LESSON IN LAW BECAUSE IT WAS ALREADY PUT OUT OF THEIR MINDS THAT NONE OF THESE DEFENCES APPLIED TO MY CASE.

FROM LINE 26 ON PAGE 6 AND THE WHOLE OF PAGE 7 ON PAGE 8 LINE 1-9 THE JUDGE GIVES AN INTERPRETATION OF ARTICLE 7 (1) BUT OFFERS NO INTERPRETATION OF SECTION 2 AND HIS INTERPRETATION OF 7 (1) IS LIMITED TO THE FACE VALUE. HE FAILED TO EXPAND, IN LAY PERSONS TERMS, THE WIDER INTERPRETATION OF "NO PUNISHMENT WITHOUT LAW" FOR INSTANCE, A PERSON WHO COMMITS A CRIMINAL ACT

OUTSIDE THE JURISDICTION OF UK LAW MAY NOT BE PROSECUTED UNDER UK JURISDICTION AND HAVING COMMITTED SUCH AN ACT OUTSIDE STATE JURISDICTION, THE STATE COULD NOT THEN PASS A LAW ALLOWING IT TO HAVE JURISDICTION OVER SUCH A PERSON. THIS IS NOT TO SAY THE PERSON COULD NOT BE EXTRADITED TO THE JURISDICTION WHERE THE ACT TOOK PLACE. THE JUDGE FAILED TO GIVE ANY INTERPRETATION ON HOW A PERSON MIGHT BE PUSHED OUTSIDE THE PROTECTION OF LAW, SUCH AS PEOPLE FLEEING PERSECUTION AND SEEKING ASYLUM.

PAGE 9 LINE 5-16 THE JUDGE REPEATS THAT I HAVE NO DEFENCE IN ENGLISH^{LAW} AND THAT MY MOTIVE IS IRRELEVANT. AT THIS STAGE, EVEN IF ALL THE PANEL OF JURORS WERE CANNABIS SMOKERS, THEY WOULD HAVE FOUND ME GUILTY BECAUSE OF PRESSURE FROM THE JUDGE AND HIS ONGOING MISDIRECTION.

STILL ON PAGE 9 - LINE 20-26 AND ONTO PAGE 10 - LINE