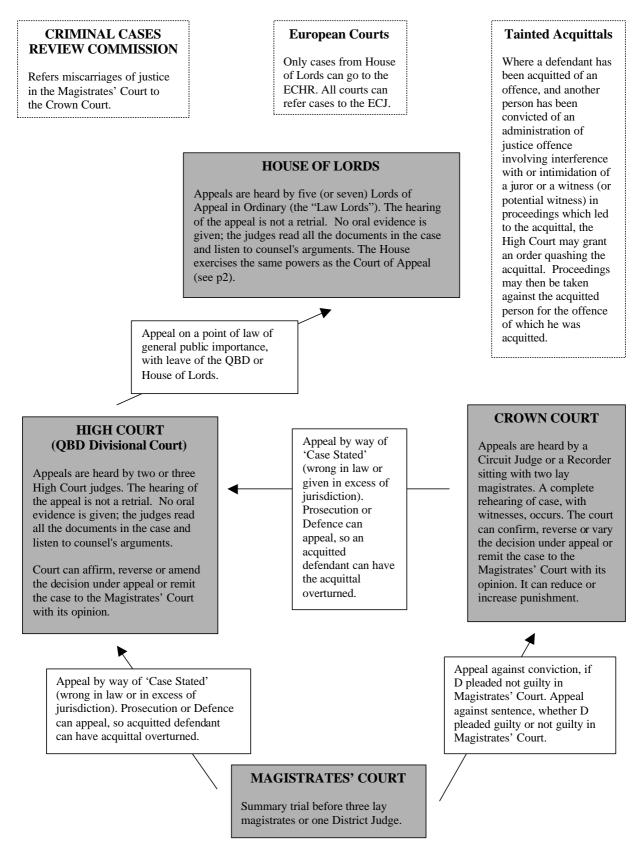
Asif Tufal

CRIMINAL APPEAL ROUTES

1. Following Summary Trial



2. Following Trial-on-Indictment

CRIMINAL CASES REVIEW COMMISSION

Refers miscarriages of justice to the Court of Appeal.

European Courts

Only cases from House of Lords can go to the ECHR. All courts can refer cases to the ECJ.

HOUSE OF LORDS

Five (or seven) Lords of Appeal in Ordinary (the "Law Lords"). The hearing of the appeal is not a retrial. No oral evidence is given; the judges read all the documents in the case and listen to counsel's arguments. The House exercises the same powers as the Court of Appeal.

Appeal on a point of law of general public importance, by the Prosecution or Defence, with leave of the Court of Appeal or the House of Lords.

COURT OF APPEAL

Three Lords Justices of Appeal hear appeals against conviction; two can hear appeals against sentence. High Court judges may be asked to hear appeals.

The hearing of the appeal is not a retrial. No oral evidence is given; the judges read all the documents in the case and listen to counsel's arguments.

The Court may allow an appeal against conviction if the conviction is unsafe. The court may substitute a conviction for another offence and sentence the defendant accordingly.

On an appeal by the defendant against sentence, the Court of Appeal cannot increase the sentence but is limited to confirming it or reducing it.

CROWN COURT

Trial on indictment before a judge and jury.

Tainted Acquittals

Where a defendant has been acquitted of an offence, and another person has been convicted of an administration of justice offence involving interference with or intimidation of a juror or a witness (or potential witness) in proceedings which led to the acquittal, the High Court may grant an order quashing the acquittal. Proceedings may then be taken against the acquitted person for the offence of which he was acquitted.



No power to appeal. Only Attorney General's Reference against an unduly lenient sentence (which can be increased by the Court of Appeal) or a point of law.

Defendant

Can appeal against

sentence.

conviction or against