

# Criminal Law and Practice

First Edition

Stephen Forster



**THOMSON**  
★  
**SWEET & MAXWELL** <sup>TM</sup>

# CRIMINAL LAW AND PRACTICE

*First Edition*

By

**STEPHEN FORSTER, LL.B (Hons)**  
*Lecturer in Law, Lancaster University*

LONDON  
SWEET & MAXWELL  
2008

*Published in 2008 by  
Sweet & Maxwell Limited of 100 Avenue Road,  
<http://www.sweetandmaxwell.co.uk>  
Typeset by YHT Ltd, London  
Printed in the UK by CPI William Clowes  
Beccles NR34 7TL*

No natural forests were destroyed to make this product;  
only farmed timber was used and re-planted.

A CIP catalogue record for this book  
is available from the British Library

ISBN 978-1-84703-449-6

All rights reserved. The Thomson trademark and Star Design are trademarks of Thomson Financial S.A. used herein under licence.

Crown Copyright material is reproduced with the permission of the Controller of the HMSO and the Queen's Printer for Scotland.

No part of this publication may be reproduced or transmitted, in any form or by any means, or stored in any retrieval system of any nature, without prior written permission, except for permitted fair dealing under the Copyright, Designs and Patents Act 1988, or in accordance with the terms of a license issued by the Copyright Licensing Agency in respect of photocopying and/or reprographic reproduction. Application for permission for other use of copyright material including permission to reproduce extracts in other published works shall be made to the publishers. Full acknowledgment of author, publisher and source must be given.

# **CRIMINAL LAW AND PRACTICE**

**AUSTRALIA**

Law Book Co.

Sydney

**CANADA AND USA**

Carswell

Toronto

**HONG KONG**

Sweet & Maxwell Asia

**NEW ZEALAND**

Brookers

Wellington

**SINGAPORE and MALAYSIA**

Sweet & Maxwell Asia

Singapore and Kuala Lumpur

## PREFACE

Reading or working with the depths and complexity of criminal law and practice can be a harsh and unforgiving environment to both the student and practitioner. Some of the more traditional textbooks can be more in depth than is actually needed and in some respects can be a hindrance rather than a benefit. Knowing the fundamentals of criminal law is only part of what makes a promising criminal advocate, a sound working knowledge of the criminal procedure rules is essential to give the confidence to be able to apply the criminal law. Without knowing the practice rules and procedure is like knowing the mechanics of a car but never having learned to drive. Also important to the criminal practitioner is a sound knowledge of the important rules and exceptions to the reception of criminal evidence.

The purpose of the textbook is to provide the reader with all the important and essential principles relating to criminal law, procedure and evidence in one readily accessible source without the loss of the appropriate depth and analysis needed to develop a sufficient awareness in order to bring success. With it now being a common feature of successive Governments to create and introduce more and more confusing and technically drafted criminal legislation, the book is designed to assist the reader in navigating and traversing this legislative quagmire by providing quick reference headings, diagrams, explanations, examples and guidance. The latest in a long line of Criminal Justice Acts to enter the Statute book is the Criminal Justice and Immigration Act 2008 which received the Royal Assent on May 8, 2008 but is yet to be brought into force and is likely to follow a similar pattern experienced with the Criminal Justice Act 2003 of being phased in by Statutory Instrument in a piece-meal manner.

The textbook should be of real benefit for those studying criminal law, criminal procedure and evidence on the LPC, Bar exams and the ILEX provision. Further it should appeal to those on law and related undergraduate courses, such as criminology and criminal justice. Likewise, it would also benefit those who are newly qualified to the criminal justice profession, including solicitors, barristers, police and other agencies.

To bring together this 1st edition of Criminal Law and Practice has been an immense undertaking and whilst at times almost unbearable, it was my ambition that saw me through those difficult times. It is for that reason I

must say a particular thank you to Isabel Owen for her unconditional love, patience and support during those many long nights and weekends when I simply disappeared to fulfill this ambition. My gratitude and sincere thanks must also go to Michelle Walton and Rachel Duckworth for the many hours they dedicated to proof reading the manuscripts. Finally a particular thank you must go to the editorial and marketing staff at Sweet and Maxwell for all their support in the production of the textbook.

The law is as far as it is possible stated as it was on the 25 April 2008. Where possible any recent developments have been added during the proof stage.

*Steve Forster LLB*  
April 2008

## TABLE OF CASES

*[Paragraph numbers in **bold** indicate where the case has been reproduced]*

|                                                                                                                                                                                                                                                                                                                                  |                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| A (Children) (Conjoined Twins: Medical Treatment) (No.1), Re; sub nom. A (Children) (Conjoined Twins: Surgical Separation), Re [2001] Fam. 147; [2000] 4 All E.R. 961, CA (Civ Div) .....                                                                                                                                        | 9.03, 9.04                     |
| Abbott v Queen, The [1977] A.C. 755; [1976] 3 W.L.R. 462, PC (Trin) .....                                                                                                                                                                                                                                                        | 9.15                           |
| Airedale NHS Trust v Bland [1993] A.C. 789; [1993] 2 W.L.R. 316, HL .....                                                                                                                                                                                                                                                        | 2.09, 9.03                     |
| Al-Fayed v Commissioner of Police of the Metropolis (No.3) [2004] EWCA Civ 1579; (2004) 148 S.J.L.B. 1405, CA (Civ Div) .....                                                                                                                                                                                                    | 14.34                          |
| Allen v West Yorkshire Probation Service Community Service Organisation [2001] EWHC Admin 2; (2001) 165 J.P. 313, DC .....                                                                                                                                                                                                       | 20.05                          |
| Anderton v Ryan; sub nom. Chief Constable of Greater Manchester v Ryan [1985] A.C. 560; [1985] 2 W.L.R. 968, HL .....                                                                                                                                                                                                            | 8.34                           |
| Andrews v DPP; sub nom. R. v Andrews [1937] A.C. 576; (1938) 26 Cr. App. R. 34, HL .....                                                                                                                                                                                                                                         | 3.32                           |
| Arnold v DPP [1999] R.T.R. 99, DC .....                                                                                                                                                                                                                                                                                          | 8.08                           |
| Arthur JS Hall & Co v Simons; sub nom. Harris v Scholfield Roberts & Hall; Barratt v Ansell (t/a Woolf Seddon); Barratt v Woolf Seddon; Cockbone v Atkinson Dacre & Slack; Harris v Scholfield Roberts & Hill [2002] 1 A.C. 615; [2000] 3 W.L.R. 543, HL; affirming [1999] 3 W.L.R. 873; [1999] 1 F.L.R. 536, CA (Civ Div) ..... | 1.01                           |
| Associated Provincial Picture Houses Ltd v Wednesbury Corp [1948] 1 K.B. 223; [1947] 2 All E.R. 680, CA .....                                                                                                                                                                                                                    | 14.34, 15.03, 25.08            |
| Atlan v United Kingdom (App. No.36533/97) (2002) 34 E.H.R.R. 33; [2001] Crim. L.R. 819, ECHR .....                                                                                                                                                                                                                               | 18.13                          |
| Attorney General v Scotcher [2005] UKHL 36; [2005] 2 Cr. App. R. 35, HL .....                                                                                                                                                                                                                                                    | 18.43                          |
| Attorney General for Jersey v Holley [2005] UKPC 23; [2005] 2 A.C. 580, PC (Jer) .....                                                                                                                                                                                                                                           | 3.08, 3.14, 3.15, 13.11, 13.12 |
| Attorney General's Guidelines (Juries: Right to Stand By). See Practice Note (Juries: Right to Stand By: Jury Checks)                                                                                                                                                                                                            |                                |
| Attorney General's Reference (No.1 of 1975), Re [1975] Q.B. 773; [1975] 3 W.L.R. 11, C A (Crim Div) .....                                                                                                                                                                                                                        | 8.02                           |
| Attorney General's Reference (No.4 of 1980), Re [1981] 1 W.L.R. 705; [1981] 2 All E.R. 617, CA (Crim Div) .....                                                                                                                                                                                                                  | 2.17                           |
| Attorney General's Reference (No.6 of 1980), Re [1981] Q.B. 715; [1981] 3 W.L.R. 125, CA (Crim Div) .....                                                                                                                                                                                                                        | 4.25                           |

|                                                                                                                                                                                                                                      |                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Attorney General's Reference (No.1 of 1983), Re [1985] Q.B. 182; [1984] 3 W.L.R. 686, CA (Crim Div) .....                                                                                                                            | 5.17                             |
| Attorney General's Reference (No.4 of 1989), Re [1990] 1 W.L.R. 41; (1990) 90 Cr. App. R. 366; (1989) 11 Cr. App. R. (S.) 517, CA (Crim Div) ....                                                                                    | 20.18                            |
| Attorney General's Reference (No.1 of 1990), Re [1992] Q.B. 630; (1992) 95 Cr. App. R. 296, CA (Crim Div) .....                                                                                                                      | 28.21                            |
| Attorney General's Reference (No.2 of 1992), Re [1994] Q.B. 91; (1993) 97 Cr. App. R. 429, CA (Crim Div) .....                                                                                                                       | 10.12                            |
| Attorney General's Reference (No.3 of 1994), Re [1998] A.C. 245; [1997] 3 W.L.R. 421, HL; affirming in part [1996] Q.B. 581; [1996] 2 W.L.R. 412, CA (Crim Div) .....                                                                | 2.36, 3.01, 3.02, 20.19          |
| Attorney General's Reference (No.3 of 1998), Re [2000] Q.B. 401; [1999] 3 W.L.R. 1194, C A (Crim Div) .....                                                                                                                          | 1.01, 10.02, 10.09, 14.27, 28.11 |
| Attorney General's Reference (No.2 of 1999), Re [2000] Q.B. 796; [2000] 3 W.L.R. 195, CA (Crim Div) .....                                                                                                                            | 3.36                             |
| Attorney General's Reference (Nos.86 and 87 of 1999), Re; sub nom. R. v Webb (Robert Edward); R. v Simpson (Moira) [2001] 1 Cr. App. R. (S.) 141; [2001] Crim. L.R. 58, CA (Crim Div) .....                                          | 19.14                            |
| Attorney General's Reference (No.2 of 2000), Re; sub nom. R. v W [2001] 1 Cr. App. R. 36; (2001) 165 J.P. 195, CA (Crim Div) .....                                                                                                   | 15.03                            |
| Attorney General's Reference (No.3 of 2000), Re; sub nom. R. v Loosley (Grant Spencer) (No.2); R. v G (Entrapment); R. v Loosely (Grant Spencer); R. v Loosley (Grant Spencer) (No.2) [2001] UKHL 53; [2001] 1 W.L.R. 2060, HL ..... | 28.12, 28.13                     |
| Attorney General's Reference (No.4 of 2000), Re; sub nom. R. v GC [2001] EWCA Crim 780; [2001] 2 Cr. App. R. 22, CA (Crim Div) .....                                                                                                 | 10.12                            |
| Attorney General's Reference (No.5 of 2000), Re [2001] EWCA Crim 1077; [2001] 2 C.M.L.R. 41, CA (Crim Div) .....                                                                                                                     | 28.15                            |
| Attorney General's Reference (No.44 of 2000), Re; sub nom. R. v Peverett (Robin) [2001] 1 Cr. App. R. 27; [2001] 1 Cr. App. R. (S.) 416, CA (Crim Div) .....                                                                         | 19.14                            |
| Attorney General's Reference (No.82a of 2000), Re; R. v Shatwell (Matthew Anthony); R. v Lea (Daniel Eric) [2002] EWCA Crim 215; [2002] 2 Cr. App. R. 24, CA (Crim Div) .....                                                        | 20.15                            |
| Attorney General's Reference (No.2 of 2001), Re; sub nom. R. v J (Unreasonable Delay) [2003] UKHL 68; [2004] 2 W.L.R. 1, HL .....                                                                                                    | 28.22                            |
| Attorney General's Reference (No.69 of 2001), Re; sub nom. R. v Archibald (John) [2002] EWCA Crim 858; [2002] 2 Cr. App. R. (S.) 129, CA (Crim Div) .....                                                                            | 27.07                            |
| Attorney General's Reference (No.104 of 2001), Re [2001] EWCA Crim 3069, CA (Crim Div) .....                                                                                                                                         | 19.02                            |
| Attorney General's Reference (No.2 of 2002), Re [2002] EWCA Crim 2373; [2003] 1 Cr. App. R. 21, CA (Crim Div) .....                                                                                                                  | 24.08                            |
| Attorney General's Reference (Nos.74, 95 and 118 of 2002), Re; sub nom. R. v Humes (Leslie); R. v Wilkinson (Mark Paul); R. v Suratan (Darren Anthony) [2002] EWCA Crim 2982; [2003] 2 Cr. App. R. (S.) 42, CA (Crim Div) .....      | 3.16                             |
| Attorney General's Reference (No.2 of 2003), Re [2004] EWCA Crim 785; [2004] 1 W.L.R. 2062, CA (Crim Div) .....                                                                                                                      | 20.10                            |
| Attorney General's Reference (No.3 of 2003), Re [2004] EWCA Crim 868; [2005] Q.B. 73, CA (Crim Div) .....                                                                                                                            | 2.14                             |

|                                                                                                                                                                                                                                                                                           |                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Attorney General's Reference (No.1 of 2004), Re; sub nom. R. v Edwards (Caroline Patricia); R. v Denton (Errol); R. v Jackson (Ruth); R. v Hendley (Ian); R. v Crowley (Helen) [2004] EWCA Crim 1025; [2004] 1 W.L.R. 2111, CA (Crim Div) .....                                           | 21.12                                |
| Attorney General's Reference (No.3 of 2004), Re [2005] EWCA Crim 1882; [2006] Crim. L.R. 63, CA (Crim Div) .....                                                                                                                                                                          | 8.15                                 |
| Attorney General's Reference (No.4 of 2004), Re; sub nom. Attorney General v D [2005] EWCA Crim 889; [2005] 1 W.L.R. 2810, CA (Crim Div) ....                                                                                                                                             | 4.21                                 |
| Attorney General's Reference (No.6 of 2004), Re; sub nom. R. v Plakici (Luan) [2004] EWCA Crim 1275; [2005] 1 Cr. App. R. (S.) 19, CA (Crim Div) ..                                                                                                                                       | 19.31                                |
| Attorney General's Reference (Nos.14 and 15 of 2006), Re; sub nom. R. v Webster (Alan); R. v French (Tanya) [2006] EWCA Crim 1335; [2007] 1 All E.R. 718, CA (Crim Div) .....                                                                                                             | 19.14, 20.18                         |
| Attorney General's Reference (No.126 of 2006), Re; sub nom. Attorney General's Reference (No.127 of 2006), Re; R. v H [2007] EWCA Crim 53; [2007] 1 All E.R. 1254, CA (Crim Div) .....                                                                                                    | 19.13                                |
| Attorney General's Reference (Nos.24, 25, 26, 27, 28 and 29 of 2006), Re; sub nom. R. v Artan (Abdekhader); R. v Mohammed (Liban); R. v Glanville (Peter); R. v Holder (Keiffer); R. v Orr (Ross); R. v Banks (Joel) [2007] EWCA Crim 2217; (2007) 151 S.J.L.B. 1299, CA (Crim Div) ..... | 19.29                                |
| Attorney General's Reference (Nos.74 and 83 of 2007), Re; sub nom. R. v F; R. v F [2007] EWCA Crim 2550, CA (Crim Div) .....                                                                                                                                                              | 11.06                                |
| Attorney General's Reference (No.113 of 2007), Re; sub nom. R. v Morrison (Deborah) [2008] EWCA Crim 22, CA (Crim Div) .....                                                                                                                                                              | 19.17                                |
| Attorney General's Reference (No.3 of 2008); sub nom. R v Brown (Neil), unreported, March 6, 2008, CA (Crim Div) .....                                                                                                                                                                    | 19.04                                |
| Atwal v Massey [1971] 3 All E.R. 881; (1972) 56 Cr. App. R. 6, DC .....                                                                                                                                                                                                                   | 6.06                                 |
| B v DPP [2006] EWHC 660 (Admin), QBD (Admin) .....                                                                                                                                                                                                                                        | 24.13                                |
| B v DPP; J v DPP [2004] EWHC 1470, QBD .....                                                                                                                                                                                                                                              | 28.09                                |
| B (A Child) v DPP [2000] 2 A.C. 428; [2000] 2 W.L.R. 452, HL .....                                                                                                                                                                                                                        | 2.44, 2.45, 2.46, 4.44, 11.05, 21.11 |
| Barnfather v Islington Education Authority; sub nom. Barnfather v Islington LBC [2003] EWHC 418 (Admin); [2003] 1 W.L.R. 2318, QBD (Admin) .....                                                                                                                                          | 2.46                                 |
| Bastable v Little [1907] 1 K.B. 59, KBD .....                                                                                                                                                                                                                                             | 20.07                                |
| Beckford v Queen, The [1988] A.C. 130; [1987] 3 All E.R. 425, PC (Jam) ...                                                                                                                                                                                                                | 12.03                                |
| Beckles v United Kingdom (App. No.44652/98) (2003) 36 E.H.R.R. 13; 13 B.H.R.C. 522, ECHR .....                                                                                                                                                                                            | 14.22                                |
| Bedder v DPP [1954] 1 W.L.R. 1119; [1954] 2 All E.R. 801, HL .....                                                                                                                                                                                                                        | 3.11                                 |
| Birch v DPP [1999] All E.R. (D) 1431, QBD .....                                                                                                                                                                                                                                           | 11.08                                |
| Blackburn v Bowering [1994] 1 W.L.R. 1324; [1994] 3 All E.R. 380, CA (Civ Div) .....                                                                                                                                                                                                      | 11.08                                |
| Board of Trade v Owen; sub nom. R. v Owen (Henry Geoffrey); R. v Seth-Smith (Patrick Sidney) [1957] A.C. 602; [1957] 2 W.L.R. 351, HL .....                                                                                                                                               | 8.35                                 |
| Bone, Re (1995) 159 J.P. 111; [1995] C.O.D. 94, QBD .....                                                                                                                                                                                                                                 | 17.16                                |
| Bonner v DPP; sub nom. R. (on the application of Bonner) v DPP [2004] EWHC 2415 (Admin); [2005] A.C.D. 56, QBD (Admin) .....                                                                                                                                                              | 14.07                                |
| Bow Street Magistrates Court. See R. (on the application of Lloyd) v Bow Street Magistrates Court                                                                                                                                                                                         |                                      |
| Bratty v Attorney General of Northern Ireland [1963] A.C. 386; [1961] 3 W.L.R. 965, HL .....                                                                                                                                                                                              | 2.07, 10.04, 10.05, 10.12, 21.10     |
| Broadhurst v Queen, The [1964] A.C. 441; [1964] 2 W.L.R. 38, PC (M) ....                                                                                                                                                                                                                  | 27.08                                |

|                                                                                                                                              |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Brown v Stott; sub nom. Stott (Procurator Fiscal) v Brown [2003] 1 A.C. 681;<br>[2001] 2 W.L.R. 817, PC (Sc) .....                           | 1.07, 8.08, 21.11, 26.08 |
| Brutus v Cozens [1973] A.C. 854; [1972] 3 W.L.R. 521, HL .....                                                                               | 8.17                     |
| Bucknell v DPP; sub nom. MB v DPP [2006] EWHC 1888 (Admin); (2007) 171<br>J.P. 10, DC .....                                                  | 2.10                     |
| Burns (Craig John) v HM Advocate (Self Defence) 995 J.C. 154; 1995 S.L.T.<br>1090, HCJ .....                                                 | 12.07                    |
| Bushels Case, 1670 .....                                                                                                                     | 18.40                    |
| C (A Minor) v DPP; sub nom. Curry v DPP [1996] A.C. 1; [1995] 2 W.L.R.<br>383, HL .....                                                      | 12.08                    |
| C, D & N v Sheffield Youth Court. See R. (on the application of D) v Sheffield<br>Youth Court                                                |                          |
| Caballero v United Kingdom (2000) 30 E.H.R.R. 643; [2000] Crim. L.R. 587,<br>ECHR .....                                                      | 17.03                    |
| Chamberlain v Lindon [1998] 1 W.L.R. 1252; [1998] 2 All E.R. 538, DC 7.17, 7.18                                                              |                          |
| Chan Wing Siu v R.; sub nom. R. v Chan Wing Siu [1985] A.C. 168; [1984] 3<br>W.L.R. 677, PC (HK) .....                                       | 8.11, 8.12               |
| Charlebois v DPP [2003] EWHC 54, QBD (Admin) .....                                                                                           | 8.08                     |
| Christie v Leachinsky; sub nom. Leachinsky v Christie [1947] A.C. 573; [1947]<br>1 All E.R. 567, HL .....                                    | 14.15                    |
| Collins v Wilcock [1984] 1 W.L.R. 1172; [1984] 3 All E.R. 374, DC .....                                                                      | 4.16                     |
| Commission of the European Communities v Council of the European Union<br>(C-176/03) [2006] All E.R. (EC) 1; [2005] E.C.R. I-7879, ECJ ..... | 1.10                     |
| Condron v United Kingdom (App. No.35718/97) (2001) 31 E.H.R.R. 1; 8<br>B.H.R.C. 290, ECHR .....                                              | 14.23                    |
| Connor v Chief Constable of Merseyside [2006] EWCA Civ 1549; [2007]<br>H.R.L.R. 6, CA (Civ Div) .....                                        | 14.47                    |
| Cooper v DPP; sub nom. R. (on the application of Cooper) v DPP [2002]<br>EWHC 1878; [2003] Crim. L.R. 116, QBD (Admin) .....                 | 1.05                     |
| Cox v Riley (1986) 83 Cr. App. R. 54; [1986] Crim. L.R. 460, QBD .....                                                                       | 7.11                     |
| Crawford v DPP, The Times, February 20, 2008, DC .....                                                                                       | 16.38                    |
| Cresswell v DPP; Currie v DPP [2006] EWHC 3379 (Admin); (2007) 171 J.P.<br>233, DC .....                                                     | 7.11                     |
| CPS v Bolton Magistrates Court. See R. (on the application of Crown<br>Prosecution Service) v Bolton Magistrates Court                       |                          |
| CPS v CE [2006] EWCA Crim 1410, CA (Crim Div) .....                                                                                          | 26.07                    |
| CPS v Chorley Magistrates Court. See R. (on the application of Crown<br>Prosecution Service) v Chorley Justices                              |                          |
| CPS v City of London Magistrates Court. See R. (on the application of Crown<br>Prosecution Service) v City of London Magistrates Court       |                          |
| CPS v Ghanbari. See R (on the application of the DPP) v South East Surrey<br>Youth Court (Ghanbari, interested party)                        |                          |
| CPS v P; sub nom. DPP v P [2007] EWHC 946 (Admin); [2007] 4 All E.R. 628,<br>QBD (Admin) .....                                               | 10.02, 12.08             |
| CPS v Redbridge Youth Court. See R. (on the application of the Crown<br>Prosecution Service) v Redbridge Youth Court                         |                          |
| Cyprus Spy Trial, 1985 .....                                                                                                                 | 18.45                    |
| Davies v DPP; sub nom. R. v Davies (Michael John) [1954] A.C. 378; [1954] 2<br>W.L.R. 343, HL .....                                          | 27.03                    |
| Davies v Health and Safety Executive; sub nom. R. v Davies (David Janway)<br>[2002] EWCA Crim 2949; [2003] I.C.R. 586, CA (Crim Div) .....   | 21.13                    |

|                                                                                                                                                                                          |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Dewing v Cummings [1971] R.T.R. 295, QBD .....                                                                                                                                           | 16.19                    |
| Dial v Trinidad and Tobago; Dottin v Trinidad and Tobago [2005] UKPC 4;<br>[2005] 1 W.L.R. 1660, PC (Trin) .....                                                                         | 20.13                    |
| DPP v Abergavenny Justices. See R. (on the application of DPP) v<br>Abergavenny Justices                                                                                                 |                          |
| DPP v Ara [2001] EWHC Admin 493; [2002] 1 W.L.R. 815, DC .....                                                                                                                           | 13.26                    |
| DPP v Avery [2001] EWHC Admin 748; [2002] 1 Cr. App. R. 31, DC .....                                                                                                                     | 14.07                    |
| DPP v B (A minor). See B (A Child) v DPP                                                                                                                                                 |                          |
| DPP v Baker [2004] EWHC 2782; (2005) 169 J.P. 140, QBD (Admin) .....                                                                                                                     | 15.04                    |
| DPP v Balham Youth Court [2004] EWHC 2990, QBD (Admin) .....                                                                                                                             | 4.22                     |
| DPP v Bell (Derek) [1992] R.T.R. 335; [1992] Crim. L.R. 176, DC .....                                                                                                                    | 9.16                     |
| DPP v Boardman; sub nom. Boardman v DPP; R. v Boardman (Derrick<br>Rowland) [1975] A.C. 421; [1974] 3 W.L.R. 673, HL .....                                                               | 21.04                    |
| DPP v Braun (Klaus Armstrong); sub nom. DPP v Armstrong-Braun (1999)<br>163 J.P. 271; [1999] Crim. L.R. 416, DC .....                                                                    | 12.05                    |
| DPP v Croydon Magistrates Court. See R. (on the application of DPP) v<br>Croydon Magistrates Court DPP v Dziurzynski [2002] EWHC 1380<br>(Admin); (2002) 166 J.P. 545, QBD (Admin) ..... | 4.18                     |
| DPP v Glendinning; sub nom. R. (on the application of DPP) v Glendinning<br>[2005] EWHC 2333 (Admin); (2005) 169 J.P. 649, QBD (Admin) .....                                             | 20.07                    |
| DPP v Gomez (Edwin) [1993] A.C. 442; [1992] 3 W.L.R. 1067, HL ....                                                                                                                       | 2.19, 5.04               |
| DPP v H. See DPP v Harper                                                                                                                                                                |                          |
| DPP v Harper; sub nom. DPP v H [1997] 1 W.L.R. 1406; (1997) 161 J.P. 697,<br>QBD .....                                                                                                   | 10.03                    |
| DPP v Harris (Nigel) [1995] 1 Cr. App. R. 170; [1995] R.T.R. 100, QBD ...                                                                                                                | 9.16                     |
| DPP v Hester; sub nom. R. v Hester (John James) [1973] A.C. 296; [1972] 3<br>W.L.R. 910, HL .....                                                                                        | 27.01                    |
| DPP v Hicks [2002] EWHC 1638, QBD (Admin) .....                                                                                                                                          | 9.16                     |
| DPP v Howard [2008] EWHC 608 (Admin), DC .....                                                                                                                                           | 4.22                     |
| DPP v Humphrys (Bruce Edward); sub nom. R. v Humphrys (Bruce Edward)<br>[1977] A.C. 1; [1976] 2 W.L.R. 857, HL .....                                                                     | 18.49                    |
| DPP v K [1997] 1 Cr. App. R. 36; [1997] Crim. L.R. 121, DC .....                                                                                                                         | 8.07                     |
| DPP v Kennedy [2003] EWHC 2583; (2004) 168 J.P. 185, QBD (Admin) ...                                                                                                                     | 28.11                    |
| DPP v Kilbourne; sub nom. R. v Kilbourne (John) [1973] A.C. 729; [1973] 2<br>W.L.R. 254, HL .....                                                                                        | 27.01                    |
| DPP v M [2004] EWHC 1453 (Admin); [2004] 1 W.L.R. 2758, QBD (Admin) ...                                                                                                                  | 4.22                     |
| DPP v Majewski; sub nom. R. v Majewski (Robert Stefan) [1977] A.C. 443;<br>[1976] 2 W.L.R. 623; [1976] 2 All E.R. 142, HL .....                                                          | 7.13, 7.16, 11.02, 11.06 |
| DPP v McFarlane; sub nom. R. (on the application of DPP) v McFarlane<br>[2002] EWHC 485, QBD (Admin) .....                                                                               | 4.22                     |
| DPP v Meaden [2003] EWHC 3005 (Admin); [2004] 1 W.L.R. 945, QBD<br>(Admin) .....                                                                                                         | 14.47                    |
| DPP v Merriman; sub nom. R. v Merriman (John) [1973] A.C. 584; [1972] 3<br>W.L.R. 545, HL .....                                                                                          | 18.21                    |
| DPP v Milton [2006] EWHC 242 (Admin); [2006] R.T.R. 21, QBD (Admin) ...                                                                                                                  | 25.06                    |
| DPP v Morgan; sub nom. R. v Morgan (William Anthony); DPP v<br>McDonald; DPP v McLarty; DPP v Parker [1976] A.C. 182; [1975] 2<br>W.L.R. 913, HL .....                                   | 4.44, 8.07, 11.02, 11.05 |
| DPP v Mullally [2006] EWHC 3448 (Admin), DC .....                                                                                                                                        | 9.16, 20.04              |
| DPP v Newbury (Neil); DPP v Jones (Robert) [1977] A.C. 500; (1976) 62 Cr.<br>App. R. 291, HL .....                                                                                       | 3.26, 3.27               |

|                                                                                                                                                                                                                   |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| DPP v Nock; sub nom. R. v Nock (David Michael); R. v Alsford (Kevin Charles); DPP v Alsford [1978] A.C. 979; [1978] 3 W.L.R. 57, HL .....                                                                         | 8.29                   |
| DPP v P; sub nom. R. v P (A Father) [1991] 2 A.C. 447; [1991] 3 W.L.R. 161, HL .....                                                                                                                              | 25.09, 27.12           |
| DPP v Sheldrake. See Sheldrake v DPP                                                                                                                                                                              |                        |
| DPP v Shuttlesworth [2002] EWHC 621; (2002) 166 J.P. 417, QBD (Admin) .....                                                                                                                                       | 15.05                  |
| DPP v Smith [2006] EWHC 94 (Admin); [2006] 1 W.L.R. 1571; [2006] 2 All E.R. 16; [2006] 2 Cr. App. R. 1, QBD (Admin) .....                                                                                         | 4.13                   |
| DPP v Smith (Jim); sub nom. R. v Smith (Jim) [1961] A.C. 290; [1960] 3 W.L.R. 546, HL .....                                                                                                                       | 2.24, 3.03, 3.04, 4.05 |
| DPP v Stoke on Trent Magistrates Court [2003] EWHC 1593; [2003] 3 All E.R. 1086, QBD (Admin) .....                                                                                                                | 4.22                   |
| DPP v Stonehouse [1978] A.C. 55; [1977] 3 W.L.R. 143, HL .....                                                                                                                                                    | 18.38                  |
| DPP v Taylor (Keith Richard); DPP v Little [1992] Q.B. 645; [1992] 2 W.L.R. 460; [1992] 1 All E.R. 299, QBD .....                                                                                                 | 4.16                   |
| DPP v Tomkinson [2001] EWHC Admin 182; [2001] R.T.R. 38, DC .....                                                                                                                                                 | 9.16                   |
| DPP v Wilson [2001] EWHC Admin 198; [2002] R.T.R. 6, DC .....                                                                                                                                                     | 8.08                   |
| DPP v Wood; DPP v McGillicuddy [2006] EWHC 32 (Admin); (2006) 170 J.P. 177, QBD (Admin) .....                                                                                                                     | 18.08                  |
| DPP for Northern Ireland v Lynch [1975] A.C. 653; [1975] 2 W.L.R. 641; (1975) 61 Cr. App. R. 6, HL .....                                                                                                          | 9.05, 9.12, 9.15       |
| Dobson v General Accident Fire and Life Assurance Corp [1990] 1 Q.B. 274; [1989] 3 W.L.R. 1066, CA (Civ Div) .....                                                                                                | 5.04                   |
| Dowsett v Criminal Cases Review Commission [2007] EWHC 1923 (Admin), QBD (Admin) .....                                                                                                                            | 20.10                  |
| Edwards v United Kingdom (A/247B) (1993) 15 E.H.R.R. 417, ECHR .....                                                                                                                                              | 18.13                  |
| Elahi v United Kingdom (App. No.30034/04) (2007) 44 E.H.R.R. 30, ECHR .....                                                                                                                                       | 28.16                  |
| Elliott v C (A Minor) [1983] 1 W.L.R. 939; [1983] 2 All E.R. 1005, DC .....                                                                                                                                       | 2.33                   |
| Engel v Netherlands (A/22) (1979-80) 1 E.H.R.R. 647, ECHR .....                                                                                                                                                   | 10.02                  |
| Environment Agency (formerly National Rivers Authority) v Empress Car Co (Abertillery) Ltd; sub nom. Empress Car Co (Abertillery) Ltd v National Rivers Authority [1999] 2 A.C. 22; [1998] 2 W.L.R. 350, HL ..... | 3.29                   |
| Evans (Darren Michael) v DPP [2001] EWHC Admin 369, DC .....                                                                                                                                                      | 1.05                   |
| Fagan v Commissioner of Police of the Metropolis [1969] 1 Q.B. 439; [1968] 3 W.L.R. 1120, DC .....                                                                                                                | 2.18                   |
| Fayed v Commissioner of Police of the Metropolitan Police. See Al-Fayed v Commissioner of Police of the Metropolis (No.3)                                                                                         |                        |
| Fehily v Governor of Wandsworth Prison; McCadden v Governor of Wandsworth Prison; Clarke v Governor of Wandsworth Prison [2002] EWHC 1295 (Admin); [2003] 1 Cr. App. R. 10, QBD (Admin) .....                     | 16.26                  |
| Fisher v Bell [1961] 1 Q.B. 394; [1960] 3 W.L.R. 919, DC .....                                                                                                                                                    | 6.18                   |
| Fox v United Kingdom (A/182); Hartley v United Kingdom (A/182); Campbell v United Kingdom (A/182) (1991) 13 E.H.R.R. 157, ECHR .....                                                                              | 14.14, 14.15           |
| Francis v DPP [2004] EWHC 591; (2004) 168 J.P. 492, QBD (Admin) .....                                                                                                                                             | 8.08, 28.03            |
| Gammon (Hong Kong) Ltd v Attorney General of Hong Kong [1985] A.C. 1; [1984] 3 W.L.R. 437, PC (HK) .....                                                                                                          | 2.45                   |
| Ghaidan v Godin-Mendoza; sub nom. Mendoza v Ghaidan; Ghaidan v Mendoza; Godin-Mendoza v Ghaidan [2004] UKHL 30; [2004] 2 A.C. 557; [2004] 3 W.L.R. 113, HL .....                                                  | 21.12                  |

|                                                                                                                                                                                                                 |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Gibson v Winchester Crown Court. See R. (on the application of Gibson) v Winchester Crown Court                                                                                                                 |              |
| Gilbert v Queen, The [2000] H.C.A. 15; 201 C.L.R. 414, HC (Aus)                                                                                                                                                 | 18.26        |
| Gillan v DPP; sub nom. R. (on the application of Gillan) v DPP; R. (on the application of Gillan) v Crown Court at Winchester [2007] EWHC 380 (Admin); [2007] 1 W.L.R. 2214, DC                                 | 19.32        |
| Gough v Chief Constable of Derbyshire; sub nom. Miller v Leeds Magistrates Court; Lilley v DPP; R. (on the application of Miller) v Leeds Magistrates Court [2002] EWCA Civ 351; [2002] Q.B. 1213, CA (Civ Div) | 19.59        |
| Grievs v United Kingdom (App. No.57067/00) (2004) 39 E.H.R.R. 2; [2004] Crim. L.R. 578, ECHR                                                                                                                    | 20.10        |
| Grundy v Halton Magistrates Court. See R. (on the application of Grundy & Co Excavations Ltd) v Halton Division Magistrates Court                                                                               |              |
| Guzzardi v Italy (A/39) (1981) 3 E.H.R.R. 333, ECHR                                                                                                                                                             | 14.11        |
| Hall v Simons. See Arthur JS Hall & Co v Simons                                                                                                                                                                 |              |
| Hardcastle v Chelmsford Crown Court [2003] EWHC 3356                                                                                                                                                            | 20.07        |
| Hardman v Chief Constable of Avon and Somerset [1986] Crim. L.R. 330, Crown Ct (Bristol)                                                                                                                        | 7.10         |
| Hashman v United Kingdom (App. No.25594/94) (2000) 30 E.H.R.R. 241; 8 B.H.R.C. 104, ECHR                                                                                                                        | 19.53        |
| Haystead v Chief Constable of Derbyshire; sub nom. Haystead v DPP [2000] 3 All E.R. 890; [2000] Crim. L.R. 758, DC                                                                                              | 4.16         |
| Hepburn v Chief Constable of Thames Valley; sub nom. Chief Constable of Thames Valley v Hepburn [2002] EWCA Civ 1841; [2002] Po. L.R. 388, CA (Civ Div)                                                         | 14.47        |
| Hewitson v United Kingdom (App. No.50015/99) (2003) 37 E.H.R.R. 31; [2003] Po. L.R. 261, ECHR                                                                                                                   | 28.16        |
| Hibbert v McKiernan [1948] 2 K.B. 142; [1948] 1 All E.R. 860, DC                                                                                                                                                | 5.13         |
| Hill v Baxter [1958] 1 Q.B. 277; [1958] 2 W.L.R. 76, QBD                                                                                                                                                        | 10.12, 10.13 |
| Hillman v Richmond Magistrates Court [2004] EWCA Crim 751                                                                                                                                                       | 20.06        |
| Hirst v Chief Constable of West Yorkshire (1987) 85 Cr. App. R. 143; (1987) 151 J.P. 304, QBD                                                                                                                   | 11.08        |
| Hoar-Stevens v Richmond upon Thames Magistrates Court. See R. (on the application of Hoar-Stevens) v Richmond upon Thames Magistrates Court                                                                     |              |
| Hodgetts v Chiltern DC; sub nom. Chiltern DC v Hodgetts [1983] 2 A.C. 120; [1983] 2 W.L.R. 577, HL                                                                                                              | 18.22        |
| Hough v Chief Constable of Staffordshire [2001] EWCA Civ 39; [2001] Po. L.R. 6, CA (Civ Div)                                                                                                                    | 14.14        |
| Houghton (Ralph), Re [2003] EWHC 3096, QBD (Admin)                                                                                                                                                              | 17.16        |
| Hughes v Holley (1988) 86 Cr. App. R. 130; (1987) 151 J.P. 233, DC                                                                                                                                              | 19.53        |
| Hunter v Queen, The; Moodie v Queen, The [2003] UKPC 69, PC (Jam)                                                                                                                                               | 18.26        |
| Hyam v DPP; sub nom. R. v Hyam (Pearl Kathleen) [1975] A.C. 55; [1974] 2 All E.R. 41, HL                                                                                                                        | 2.25         |
| Ikarian Reefer, The. See National Justice Compania Naviera SA v Prudential Assurance Co Ltd                                                                                                                     |              |
| Inco Europe Ltd v First Choice Distribution [2000] 1 W.L.R. 586; [2000] 2 All E.R. 109, HL                                                                                                                      | 23.11        |
| J v DPP. See B v DPP                                                                                                                                                                                            |              |
| JJC (A Minor) v Eisenhower; sub nom. C (A Minor) v Eisenhower [1984] Q.B. 331; [1983] 3 All E.R. 230, QBD                                                                                                       | 4.04         |
| Jaggard v Dickinson [1981] Q.B. 527; [1981] 2 W.L.R. 118, DC                                                                                                                                                    | 7.16         |

|                                                                                                                                                                                                                                    |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Jeffrey v Warwick Crown Court. See R. (on the application of Jeffrey) v Warwick Crown Court                                                                                                                                        |                     |
| Johnson v DPP [2008] EWHC 509 (Admin); (2008) 105(10) L.S.G. 27, DC                                                                                                                                                                | 4.02                |
| Johnson v Youden [1950] 1 K.B. 544; [1950] 1 All E.R. 300, DC                                                                                                                                                                      | 8.03                |
| Jones v Whalley [2006] UKHL 41; [2007] 1 A.C. 63, HL                                                                                                                                                                               | 13.29               |
| K v DPP [2003] EWHC 351 (QB), QBD                                                                                                                                                                                                  | 24.13               |
| Kajala v Noble (1982) 75 Cr. App. R. 149; [1982] Crim. L.R. 433, DC                                                                                                                                                                | 24.09               |
| Kanaris v Governor of Pentonville Prison; sub nom. Kanaris, Re [2003] UKHL 2; [2003] 1 W.L.R. 443, HL                                                                                                                              | 18.32               |
| Keegan v United Kingdom (App. No.28867/03) (2007) 44 E.H.R.R. 33; 21 B.H.R.C. 189, ECHR                                                                                                                                            | 14.47               |
| Khan v United Kingdom (App. No.35394/97) (2001) 31 E.H.R.R. 45; 8 B.H.R.C. 310, ECHR                                                                                                                                               | 28.16               |
| Khatibi v DPP [2004] EWHC 83 (Admin); (2004) 168 J.P. 361, QBD (Admin)                                                                                                                                                             | 16.32, 18.39, 24.01 |
| King v DPP, unreported, 2000                                                                                                                                                                                                       | 4.19                |
| Kingsnorth v DPP. See R. (on the application of Kingsnorth) v DPP                                                                                                                                                                  |                     |
| Kleinwort Benson Ltd v Lincoln City Council; Kleinwort Benson Ltd v Birmingham City Council; Kleinwort Benson Ltd v Southwark LBC; Kleinwort Benson Ltd v Kensington and Chelsea RLBC [1999] 2 A.C. 349; [1998] 3 W.L.R. 1095, HL  | 20.12               |
| Kneller (Publishing, Printing and Promotions) Ltd v DPP; sub nom. R. v Kneller (Publishing, Printing and Promotions) Ltd; Keen (Graham) v DPP; Stansill (Peter) v DPP; Hall (David) v DPP [1973] A.C. 435; [1972] 3 W.L.R. 143, HL | 1.09, 8.28          |
| Kostovski v Netherlands (A/166) (1990) 12 E.H.R.R. 434, ECHR                                                                                                                                                                       | 23.21               |
| Kuruma v Queen, The; sub nom. Kuruma, Son of Kaniu v Queen, The [1955] A.C. 197; [1955] 2 W.L.R. 223, PC (EA)                                                                                                                      | 28.09               |
| Kynaston v DPP; Heron (Joseph) v DPP; Heron (Tracey) v DPP (1988) 87 Cr. App. R. 200, QBD                                                                                                                                          | 14.54               |
| L v DPP. See SL (A Juvenile) v DPP                                                                                                                                                                                                 |                     |
| Laskey v United Kingdom; Jaggard v United Kingdom; Brown v United Kingdom (1997) 24 E.H.R.R. 39, ECHR                                                                                                                              | 4.26                |
| Lauderdale v Mid Sussex Magistrates Court. See R. (on the application of Lauderdale) v Mid Sussex Magistrates Court                                                                                                                |                     |
| Lawrence v Commissioner of Police of the Metropolis; sub nom. R. v Lawrence (Alan) [1972] A.C. 626; [1971] 3 W.L.R. 225, HL                                                                                                        | 5.03, 5.04          |
| Lineham v DPP; sub nom. Linehan v DPP [2000] Crim. L.R. 861, QBD                                                                                                                                                                   | 14.54               |
| Lloyd v DPP [1992] 1 All E.R. 982; (1992) 156 J.P. 342, QBD                                                                                                                                                                        | 7.20                |
| Lobban v Queen, The [1995] 1 W.L.R. 877; [1995] 2 All E.R. 602, PC (Jam)                                                                                                                                                           | 28.06               |
| London & Clydeside Estates Ltd v Aberdeen DC [1980] 1 W.L.R. 182; [1979] 3 All E.R. 876, HL                                                                                                                                        | 16.26               |
| Low v Bleasdale [1975] Crim. L.R. 513; (1975) 119 S.J. 695, DC                                                                                                                                                                     | 5.08                |
| Luc Thiet Thuan v Queen, The [1997] A.C. 131; [1996] 3 W.L.R. 45, PC (HK)                                                                                                                                                          | 3.13, 3.14          |
| Luca v Italy (App. No.33354/96) (2003) 36 E.H.R.R. 46; [2001] Crim. L.R. 747, ECHR                                                                                                                                                 | 26.08               |
| MPC v Caldwell. See R. v Caldwell (James)                                                                                                                                                                                          |                     |
| Magill v Weeks. See Porter v Magill                                                                                                                                                                                                |                     |
| Malcolm v DPP [2007] EWHC 363 (Admin); [2007] 1 W.L.R. 1230, DC                                                                                                                                                                    | 16.32               |
| Mansell v Queen, The, 20 E.R. 20; (1859) 8 El. & Bl. 54, QB                                                                                                                                                                        | 18.45               |

|                                                                                                                                                                                                                   |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| McGreevy v DPP [1973] 1 W.L.R. 276; [1973] 1 All E.R. 503; (1973) 57 Cr. App. R. 424, HL .....                                                                                                                    | 18.48, 27.13 |
| Meli v Queen, The [1954] 1 W.L.R. 228; [1954] 1 All E.R. 373, PC (Basutoland) .....                                                                                                                               | 2.17         |
| Millar (David Cameron) v Dickson; Stewart v Heywood; Payne v Heywood; Tracey v Heywood; Marshall v Ritchie [2001] UKPC D 4; [2002] 1 W.L.R. 1615, PC (Sc) .....                                                   | 20.10        |
| Miller v DPP [2004] EWHC 595 (Admin); [2005] R.T.R. 3, QBD (Admin) ..                                                                                                                                             | 28.22        |
| Mohindra v DPP; sub nom. Browne v DPP; Browne v Chief Constable of Greater Manchester [2004] EWHC 490 (Admin); (2004) 168 J.P. 448, QBD (Admin) .....                                                             | 8.08         |
| Moran v DPP [2002] EWHC 89; (2002) 166 J.P. 467, QBD (Admin) .....                                                                                                                                                | 28.25        |
| Morgan v DPP. See DPP v Morgan                                                                                                                                                                                    |              |
| Morgans v DPP; sub nom. Morgans v Southwark Crown Court [2001] 1 A.C. 315; [2000] 2 W.L.R. 386, HL .....                                                                                                          | 28.16        |
| Morris v Tolman [1923] 1 K.B. 166, KBD .....                                                                                                                                                                      | 8.07         |
| Murphy v DPP [2006] EWHC 1753 (Admin), DC .....                                                                                                                                                                   | 18.08        |
| Murray v United Kingdom (A/300-A) (1995) 19 E.H.R.R. 193, ECHR .....                                                                                                                                              | 14.23        |
| Myles v DPP [2004] EWHC 594 (Admin); [2004] 2 All E.R. 902, QBD (Admin) .....                                                                                                                                     | 28.11        |
| National Coal Board v Gamble [1959] 1 Q.B. 11; [1958] 3 W.L.R. 434, DC ..                                                                                                                                         | 8.03         |
| National Justice Compania Naviera SA v Prudential Assurance Co Ltd; The Ikarian Reefer (No.1) [1995] 1 Lloyd's Rep. 455, CA (Civ Div); reversing [1993] 2 Lloyd's Rep. 68; [1993] F.S.R. 563, QBD (Comm) .....    | 24.28        |
| Newham LBC v Singh (1988) 152 J.P. 239; [1988] R.T.R. 359, DC .....                                                                                                                                               | 2.46         |
| Newman v Hackney LBC [1982] R.T.R. 296; 80 L.G.R. 611, DC .....                                                                                                                                                   | 2.42         |
| Norman Shaw v Queen, The [2001] UKPC 26; [2001] 1 W.L.R. 1519, PC (Bze) .....                                                                                                                                     | 12.02        |
| Nottingham City Council v Amin [2000] 1 W.L.R. 1071; [2000] 1 Cr. App. R. 42, DC .....                                                                                                                            | 28.13        |
| O v Harrow Crown Court. See R. (on the application of O) v Harrow Crown Court                                                                                                                                     |              |
| O (A Juvenile) v DPP; sub nom. O (Mustapha) (A Juvenile) v Southwark Crown Court (1999) 163 J.P. 725; [1999] C.O.D. 446, DC .....                                                                                 | 14.07        |
| 897; (2008) 46 E.H.R.R. 21, ECHR .....                                                                                                                                                                            | 8.08, 28.03  |
| Odewale v DPP, unreported, 2000 .....                                                                                                                                                                             | 14.54        |
| O'Halloran v United Kingdom (App. No.15809/02); Francis v United Kingdom (App. No.25624/02) [2007] Crim. L.R. O'Hara v Chief Constable of the Royal Ulster Constabulary [1997] A.C. 286; [1997] 2 W.L.R. 1, HL .. | 14.14        |
| Olakunori v DPP [1998] C.O.D. 443, DC .....                                                                                                                                                                       | 25.19        |
| O'Loughlin v Chief Constable of Essex [1998] 1 W.L.R. 374, CA (Civ Div) ..                                                                                                                                        | 14.53        |
| Osman v Southwark Crown Court. See O (A Juvenile) v DPP                                                                                                                                                           |              |
| Oxford v Moss (1979) 68 Cr. App. R. 183; [1979] Crim. L.R. 119, QBD ...                                                                                                                                           | 5.08         |
| PG v United Kingdom (App. No.44787/98); JH v United Kingdom (App. No.44787/98) [2001] Po. L.R. 325; [2002] Crim. L.R. 308, ECHR ..                                                                                | 18.13, 28.17 |
| PS v Germany (33900/96) (2003) 36 E.H.R.R. 61; [2002] Crim. L.R. 312, ECHR .....                                                                                                                                  | 26.08        |
| Palmer (Sigismund) v Queen, The; Irving (Derrick) v Queen, The [1971] A.C. 814; [1971] 2 W.L.R. 831, PC (Jam) .....                                                                                               | 12.04, 12.05 |
| Paterson v DPP [1990] R.T.R. 329; [1990] Crim. L.R. 651, DC .....                                                                                                                                                 | 24.01        |

|                                                                                                                                                                                                                          |                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Pattison v DPP [2005] EWHC 2938 (Admin); [2006] 2 All E.R. 317, QBD (Admin) .....                                                                                                                                        | 25.19                                          |
| Pilecki v Poland; sub nom. Pilecki v Circuit Court of Legnica [2008] UKHL 7; (2008) 152(6) S.J.L.B. 29, HL .....                                                                                                         | 14.19                                          |
| Porter v Magill; sub nom. Magill v Porter; Magill v Weeks; Phillips v Magill; England v Magill; Hartley v Magill; Weeks v Magill [2001] UKHL 67; [2002] 2 A.C. 357; [2002] 2 W.L.R. 37, HL .....                         | 18.41, 20.06                                   |
| Practice Direction (CA (Crim Div): Criminal Appeals: Forms) [2007] 1 W.L.R. 2607; [2008] 1 Cr. App. R. 15, CA (Crim Div) .....                                                                                           | 18.32                                          |
| Practice Direction (QBD: Rehabilitation of Offenders Act 1974: Implementation: Reference to Spent Convictions during Trial) [1975] 1 W.L.R. 1065; (1975) 61 Cr. App. R. 260, QBD .....                                   | 25.18                                          |
| Practice Note (Juries: Right to Stand By: Jury Checks); sub nom. Attorney General's Guidelines (Juries: Right to Stand By) [1988] 3 All E.R. 1086; (1989) 88 Cr. App. R. 123, Court not applicable .....                 | 18.45                                          |
| Pretty v United Kingdom (App. No.2346/02); sub nom. R. (on the application of Pretty) v DPP (App. No.2346/02) [2002] 2 F.L.R. 45; [2002] 2 F.C.R. 97; (2002) 35 E.H.R.R. 1, ECHR .....                                   | 8.02, 9.03                                     |
| Pringle v Queen, The [2003] UKPC 9; [2003] All E.R. (D) 236 .....                                                                                                                                                        | 24.10, 27.05                                   |
| R. v A (Complainant's Sexual History); sub nom. R. v A (No.2); R. v Y (Sexual Offence: Complainant's Sexual History) [2001] UKHL 25; [2002] 1 A.C. 45; [2001] 2 W.L.R. 1546, HL .....                                    | 1.03, 18.31, 21.02, 21.12, 23.11, 23.13, 23.15 |
| R. v A (No.2). See R. v A (Complainant's Sexual History)                                                                                                                                                                 |                                                |
| R. v Abbott (Charles Clement) [1955] 2 Q.B. 497; [1955] 3 W.L.R. 369, CCA .....                                                                                                                                          | 8.17                                           |
| R. v Abdroikov (Nurlon); sub nom. R. v Abdroikof (Nurlon); R. v Green (Richard John); R. v Williamson (Kenneth Joseph) [2007] UKHL 37; [2007] 1 W.L.R. 2679, HL .....                                                    | 18.41, 18.42                                   |
| R. v Abdul-Hussain (Mustafa Shakir); R. v Aboud (Saheb Sherif); R. v Hasan (Hasan Saheb Abdul); R. v Naji (Maged Mehdy); R. v Muhssin (Mohammed Chamekh); R. v Hoshan (Adnan) [1999] Crim. L.R. 570, CA (Crim Div) ..... | 9.06, 9.07, 9.09                               |
| R. v Abraham (Alan) [1973] 1 W.L.R. 1270; (1973) 57 Cr. App. R. 799, CA (Crim Div) .....                                                                                                                                 | 12.02                                          |
| R. v Abramovitch (Jacob). See R. v Schama (Isaac)                                                                                                                                                                        |                                                |
| R. v Absolam (Calvin Lloyd) (1989) 88 Cr. App. R. 332; [1988] Crim. L.R. 748, CA (Crim Div) .....                                                                                                                        | 28.10                                          |
| R. v Abu Hamza [2006] EWCA Crim 2918; [2007] 2 W.L.R. 226; [2007] 1 Cr. App. R. 27, CA (Crim Div) .....                                                                                                                  | 1.10, 3.01, 8.35                               |
| R. v Acaster (Frederick) (1912) 7 Cr. App. R. 187, CCA .....                                                                                                                                                             | 22.04                                          |
| R. v Acott (Brian Gordon) [1997] 1 W.L.R. 306; [1997] 1 All E.R. 706; [1997] 2 Cr. App. R. 94, HL .....                                                                                                                  | 3.07                                           |
| R. v Adams [1993] Crim. L.R. 72, CA (Crim Div) .....                                                                                                                                                                     | 5.07                                           |
| R. v Adams (Andrew) [2007] EWCA Crim 1; [2007] 1 Cr. App. R. 34, CA (Crim Div) .....                                                                                                                                     | 18.02                                          |
| R. v Adebayo .....                                                                                                                                                                                                       | 18.26                                          |
| R. v Adinga (Larry Ribadu) [2003] EWCA Crim 3201, CA (Crim Div) .....                                                                                                                                                    | 6.06                                           |
| R. v Adomako (John Asare); R. v Sullman (Barry); R. v Holloway (Stephen John); R. v Prentice (Michael Charles) [1995] 1 A.C. 171; [1994] 3 W.L.R. 288, HL .....                                                          | 2.04, 2.12, 3.32, 3.33                         |