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The Criminal Appeal Reports reaches 100th anniversary

- **Lord Chief Justice Judge praises law reporters**
- **First edition of The Criminal Appeal Reports shows birth of modern appeal system**

One of the oldest series of law reports in the world, “The Criminal Appeal Reports”, published by Sweet & Maxwell, recently reached its 100th anniversary.

At a dinner to celebrate the anniversary, Lord Chief Justice Judge praised law reporters for the valuable service they provide to the courts. He called The Criminal Appeal Reports the “series of choice” for criminal practitioners.

The Criminal Appeal Reports were first published in 1909 after the new “Court of Criminal Appeal” was established by the Criminal Appeal Act 1907.

According to Sweet & Maxwell, The Criminal Appeal Reports keep criminal lawyers and academics abreast of the latest legal developments in criminal appeal court cases and new legislation.

The new appeals court was a radical departure from the system it replaced, which only allowed a handful of appeals each year. The Court of Criminal Appeal dramatically extended the right of appeal to safeguard defendants from the risk of wrongful conviction.

Under the new system a convicted felon no longer required the court’s consent to appeal (which was often refused) on a point of law. Their appeal could now contain new factual detail that did not come to light at the original trial.

Example cases from the first edition

Assault with intent to rob

- Mr and Mrs Scott were “attacked by roughs” at night, one of whom was identified by a number of witnesses as the defendant
- One witness claimed that “an adjacent electric light” enabled to him to see the defendant
- In fact the defendant had spent a rowdy evening at home “in a family festivity”
- A constable who was never called as a witness at the original trial had seen him near his home at the time of the assault
- The Court of Criminal Appeal used its new powers to hear fresh factual evidence from the constable, who provided an alibi for the defendant
- The defendant’s sentence was quashed, whereas under the old system he would have faced a six month prison sentence

Feloniously uttering a counterfeit coin

- The defendant was caught with a single counterfeit coin, “admitted by the Mint authority to be a good imitation”
- The barmaid whom he had paid with the coin claimed she had been given another counterfeit coin by the defendant two weeks previously
- It emerged at the original trial that this could not have been the case because the defendant had been in prison at the time
- The Court of Criminal Appeal quashed the original conviction because it was likely the jury had convicted the defendant because they knew he was a prior felon and not because they found him guilty on the facts of the case before them
- It was important that the Criminal Appeal Act 1907 “must not be allowed to make any difference in the principle that the presumption of innocence can only be rebutted by evidence of the specific offence charged.”

Notes to Editors:

Sweet & Maxwell (www.sweetandmaxwell.co.uk) is a leading provider of information and solutions to the legal and professional markets in the UK and Ireland. With over 200 years of history and heritage in legal publishing, Sweet & Maxwell offers detailed and specialist knowledge, understanding, interpretation and commentary across a wide range of subjects in a variety of formats to meet customers' needs - books, journals, periodicals, looseleaves, CD-ROMs and the market leading online services, Lawtel and Westlaw UK. Sweet & Maxwell is part of Thomson Reuters.

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Press enquiries:

Louis Auty or Nick Mattison
Mattison Public Relations
Tel: 020 7645 3636