

Finding your Summing up and your case papers

Let me guess: you were convicted under joint enterprise doctrine and are now looking for an appeal lawyer to challenge your conviction following the Supreme Court decision. These lawyers are now all writing back to you asking for a copy of the same document – the court transcript of the judge’s summing up.

Here is a brief guide of where to look and who to ask for your summing up and other case papers. It should be read together with the flow chart and the template letters attached.

Trial legal representatives

Your trial solicitors should have a copy of your case papers and may also have requested a transcript of the judge’s summing up before advising you on the merits of an appeal.

You are entitled to a copy of your case papers, including the correspondence file and billing information although they may charge you with an administrative fee for the costs of retrieving your papers. You can request the papers by writing directly to the solicitors. [See template letter 1.](#)

If the solicitors do not respond to your request within fourteen days, you should then write a second letter informing them that you will be contacting the Legal Ombudsman if they fail to respond to your request for your case papers. [See template letter 2.](#)

If the solicitors fail to respond to your second letter, you can then file a complaint with the Legal Ombudsman. You may also wish to file a complaint with the Solicitor’s Regulation Authority.

Your trial barrister may also have a copy of your case papers and a transcript of your summing up. Again, you can write to the barrister to ask him or her to send you a copy of your papers. [See template letter 1.](#)

Appeal solicitor & barrister

Following your trial, you may have instructed another firm of solicitors or another barrister to handle your appeal to the Court of Appeal. These lawyers may also have requested a transcript of the judge’s summing up. You are entitled to a copy of all the case papers, the correspondence and the billing information. They too may charge you an administrative fee for the retrieving this information.

The Centre for Criminal Appeals (CCA) is a charity, regulated by the Charity Commission (1144162), a law firm regulated by the Solicitors Regulation Authority, (621184) and a company limited by guarantee (7556168). Registered address 2-10, Princeton Street, London WC1R 4BH

~~You~~ When requesting the file from your appeal representatives, you will need to follow the same process outlined above for retrieving your case papers from your ~~trial~~ legal representatives at trial. First, write a letter requesting a copy of your case papers. See template letter 1. If they do not respond to your letter, you can write a second letter informing them that you will be approaching the Legal Ombudsman if they do not respond to your request for your case papers. See template letter 2. If they still do not respond to your case papers then you can file a complaint with the Legal Ombudsman, the Solicitor's Regulation Authority (if it is a solicitors firm) or the Bar Standards Board (if it is a barrister).

Court of Appeal

If your case has been reviewed by the Court of Appeal, the Registrar of the Court of Appeal Criminal Division may have a transcript of your summing up. You can request a copy of your summing up **only** if you have first asked your legal representatives for a copy. If they have either not responded to your request or if they have destroyed your case file, then you can approach the Court of Appeal. See template letter 3.

Criminal Case Review Commission

If your case has been reviewed by the Criminal Case Review Commission, then it is possible that they would have ordered a transcript of your summing up and the Judge's sentencing remarks. You can request a copy of the summing up and other case papers by writing to the Criminal Case Review Commission. See template letter 4.

Private transcription companies

If your trial lawyers told you that there was no merit in appealing your conviction and sentence, the chances are that a transcript of your summing up and sentencing remarks have not yet been ordered.

You will first need to contact the trial court and if you give them the year of your trial, they will tell you the contact details for the transcription company. You can then contact the transcription company who will give you a quotation for the cost of transcribing the summing up and sentencing remarks. Unfortunately, transcription rates are very expensive and it may cost £1000-£2000 for the transcript.

If you have a lawyer assisting you under legal aid, they can apply to the Legal Aid Agency to cover transcription costs.

The Centre for Criminal Appeals (CCA) is a charity, regulated by the Charity Commission (1144162), a law firm regulated by the Solicitors Regulation Authority, (621184) and a company limited by guarantee (7556168). Registered address 2-10, Princeton Street, London WC1R 4BH

~~If you do not have a lawyer~~ ~~At this point~~ you may, at this point, want to try again to find a lawyer, explaining in your letter to them that you are ready to get the Summing Up transcribed and that all you need them to do is give you Advice and Assistance on doing this.

Private transcription companies usually keep the transcript recordings of the trial for up to seven years before it is destroyed. If they have already transcribed the summing up, then you can order a copy of the transcript for around £50 - £150.

~~If you have a lawyer, they can apply to the Legal Aid Agency to cover transcription costs.~~

If you cannot find legal representation and cannot afford the cost of a full transcript, you can request a copy of the audio recording of portions of the trial from the transcription company. The audio recording is usually much cheaper than the cost of transcription. You Finally, could also consider putting in an Application writing to the Criminal Cases Review Commission and attach an explanation explaining that you can't provide them with more information until they obtain the sSumming uUp. You could also write to the Criminal Appeal office Court of Appeal to double check if they have a summing up available, particularly if you cannot recall whether there was an appeal after your trial. and explain to them that you cant find a lawyer and you need the Summing Up to be able to show the Court, the Commission or indeed a lawyer that an appeal of your case is needed.

Cautionary words

1. Remember that most law firms, barristers chambers and the private transcription companies will destroy records after seven years if not sooner. It is imperative-very important that you retrieve all your legal papers before seven years have elapsed.
2. -You may want to consider asking a family member or supporter to be your Case File Guardian. This person can help you retrieve and store all of your original papers to make sure that nothing gets lost.
3. Do NOT EVER send original case papers to lawyers who have not agreed to represent you, only send copies.

Court of Appeal	Criminal Appeal Office, The Royal Courts of Justice Strand, London, WC2A 2LL
-----------------	---

2 – 10 Princeton Street
Holborn, London
WC1R 4BH
mail@criminalappeals.org.uk; 0207 040 0019
www.criminalappeals.org.uk



	criminalappealoffice.generaloffice@hmcts.x.gsi.gov.uk
Criminal Case Review Commission	5 St Philip's Place, Birmingham, B3 2PW info@ccrc.x.gsi.gov.uk
Legal Ombudsman	PO Box 6806, Wolverhampton, WV1 9WJ enquiries@legalombudsman.org.uk
Solicitor Regulation Authority	The Cube, 199 Wharfside Street, Birmingham, B1 1RN report@sra.org.uk
Bar Standards Board	Bar Standards Board, 289-293 High Holborn, London WC1V 7HZ, assessmentcomplaints@barstandardsboard.org.uk

The Centre for Criminal Appeals (CCA) is a charity, regulated by the Charity Commission (1144162), a law firm regulated by the Solicitors Regulation Authority, (621184) and a company limited by guarantee (7556168). Registered address 2-10, Princeton Street, London WC1R 4BH