**Points I asked to be Considered by the CCRC When Reviewing my Case Many of Which Were Ignored**

**1.** The JCB was searched and “examined 12/01/2010 at Murdock Road, we need the search logs we have been asking for these logs since 2010, and no answer they kept saying there was no search logs for the JCB

 **2.** FSI Brooks statement brooks in the unused bundle. This statement 14/04/2010 337 and 19/05/2010 340

**3.** Mr Grant Fredericks evidence was never produced at trial, because I only knew about him after I was sentenced, it’s quite clear if I knew about him before I would have used him

4. Why would you need to visit the JCB again when in the first statement it clearly states you searched the JCB and your results were negative, now you’re saying that you did not make a thorough examination

**5**. On the second visit to the JCB 19/01/10 Mr Ian Wilkes said that the key’s for the JCB were in the side of the cab the drivers’ side and he didn’t see no Balaclava,

**6.** Barry Charles Robinson said that the Balaclava was in the middle of the JCB towards the opposite side i.e. Passenger side? This was on the 19/01/2010 but Mr Richard Crane said that has soon has you open the door the balaclava was on the floor you couldn’t miss, and reckons the keys for the JCB was already inside the cab. Wilks pick the keys from down the right hand side of the JCB on the 19/01/2010 just before Crane came to pick up the JCB he would have seen the balaclava, Robinson said they got the keys from Jacksons to open the JCB, Crane said the keys were already inside the JCB, Barry Robinson said that the keys were in the office, which is right someone is not speaking the truth. All this was mentioned at trial if you look at the transcripts but not in their first statements made on 19/01/2010 15/02/2011 Robinson 13/02/2010, Robinson made his statement 26 days after Crane “considering that it was both of them that found the balaclava on the 19/01/2010.

**7.** This leaves something to think about. No witnesses have ever described a person wearing a balaclava with camouflage; neither at the cemetery or Murdock road nor in the bank you can see from the images that they were all wearing dark masks.

**8.** Why would someone wear a balaclava in the JCB to take it off to blend in and run off and put another mask on? All the evidence suggests a plant.

**9.** Items of hardware taken from my flat cycle mask and du-rag what also has 2 holes on them you can buy these in any shops in England plus basket ball players wear these du-rags how many things am I wearing balaclava cycle mask, du-rag, white cream hat, and saying that my DNA was found in the JCB on a balaclava that doesn’t make sense.

**10.** Who was at the cemetery by chance waiting for the JCB arrival with its balaclava now on Board? No other than Morgan and Simpson and D.S Perkins, but no statement from Ds Perkins and Simpson to say they witnessed the findings very unusual.

**11.** The balaclava was planted. Exclude the balaclava evidence - what is my crime, being in an area that I grew up in my mother lives 10 yards from the bank, the next road to Murdock Road, my daughter lives 10 yards from the cemetery. Plus other family and friends in the immediate and surrounding areas, I am in that area every day, I have no exclusion order to enter Handsworth, I have the right as a citizen that does not make me a gang member, the cell site evidence if correct places me in the area this is not unusual I am always in that area, that is where I train as well.

**12.** The balaclava in question that was found in the JCB had 3 different traces of DNA 1/3 equal to 33.3% the other 66.6% is contributed to others than me therefore the majority of the DNA belongs to someone else, if I am the minority of that DNA how can it be said that there is no shadow of a doubt that it’s mine, three types of DNA no one else whose DNA was a factor was ever arrested why? This evidence should have been thrown out.

**13.** Why would someone wear white/cream head covering, plus balaclava and I have long dreadlocks well down pass my knees.

**14.** Cell sites! Seven calls were made from inside the UAE Xchange Bank, The CCTV images cannot be wrong, no CCTV captured of anyone using a phone in the bank, and this was a deliberate attempt to mislead the Jury and altered deliberately to incriminate the accused.

**15.** Two other hairs found in the Balaclava have not been tested why is this?

**16.** Back in 2010 the prosecution told my barrister then that they only had 4 photo’s of the JCB none with the “interior” only the “exterior” but then in Late “ September 2010 we started seeing interior of the JCB and in the trial in Jan 2011 this is when I started to see Enhanced photo’s appear.

**17.** Every car and vehicle on the scene were forensically examined apart from the JCB, this would be the first thing the crime scene investigator would have sealed off and searched with a fine toothcomb for evidence. Without the JCB these people could not have done the robbery. Something to really think about.

**18.** Another aspect of this case is money which Codrington said that I posted through her letter box, this was a lie it turned out to have a criminal from Manchester named Skelly fingerprints on the money was this person ever questioned or arrested? Not to my knowledge.

**19.** Six people entered that JCB and the “seventh found the “Balaclava” Crane who found it says it was right in front of me on the floor over a week later this is nonsense, the balaclava appeared from nowhere after all those looked and no one else saw it.

**20.** We need the minutes from this meeting, why is it not listed in the “Actions! 13/01/2010 a forensic strategy meeting took place between DI Tyndale, John Webber, West Midlands police forensic submissions officer - Rogers, DC 551 Maher we have requested these minutes to no avail this is very important to my case in order to see what was discussed.

**21.** Everyone keeps on saying that they didn’t enter the JCB cab physically, someone must have turned off the JCB, someone must have entered, Hanchett said that he did not enter the JCB he leaned inside and moved a leaver on the steering column upwards to disable the beeping sound. When the police was giving evidence they said the interior light to the JCB was not working, when my barrister and solicitor went to view it the lights were working. Another witness Howell says the JCB door stayed wide opened. My barrister and solicitor stopped me from viewing the JCB at the time as they said it would involve armed police and the jury would draw inference.

**22.** Another person Latimer also admitted to the crime to his drugs counsellor but this was never acted upon. I would like someone to go and view that JCB to see if there is anyway a balaclava can be hidden and missed by 6 people.

**23.** It took DC Brooks 11 months to write a third statement in Nov 2010, saying the engine was running for hours and hours, this is nonsense they would have to turn off the engine, plus all these statements were made in Nov Hobbs P.469 said that the keys were in the ignition of the JCB and he had to start it in order to drive it on to the recovery truck, this person was on the scene 12/01/2010 but makes is statement in Nov 2010 very strange.

DC Lee Dawson committed perjury by saying the JCB was moved from Murdock Road to Jackson’s Garage at 9pm on the 12/01/2010 however DC Wilson says the JCB was not moved till after 1:00pm in the morning on the 13/01/2010

**24.** Forensic recovery was detrimental at this stage F.S.I could recover fingerprints, on levers, steering wheel, key fag ends, clothing, swabs from saliva sweat, fibres on seat, as described in photo’s the cab was wet and damp the snow, footprints would have easily been visible and clear to re trace, at the very beginning of the enquiry no witnesses said offenders were wearing gloves for the FSI to erase himself

**25.** From taking fingerprints Hanchett was wearing latex gloves when he said he leaned inside to move the leaver to disable the bleeping sound he was aware of forensic recovery.

**26.** Claire says in image 41 she can above the shadow from the chair adjustment there is a woollen item that is khaki green in colour it has white /cream colour and a dark blue/black colour on it. 19/11/2010 DC Maher handed her the original photo’s FB1F she then took image 41 and confirm the above item, plus she drew a sketch plan showing where the item was recovered after she visited Mr Crane at his home, from the sketch she drew no way could you miss the balaclava on the 12/01/2010.

**27.** Summary prepared by Dc Maher regarding the examination of the JCB in situ on Murdock road this means they did search the JCB on the 12/01/2010 that examination was top secret and had to be censored so that we could not read any of it. You can see this blanked out document and make up your own minds if the vehicle was searched or not.

**28.** I was never shown any pictures in my interview of any JCB with a balaclava in situ and neither was my lawyers I had a solicitor called Robert Charles who I managed to track down I have his details and where he can be found to help me move forward with this miscarriage of justice. If we are going to fully investigate this case we ought to through and complete in every way and look at this case with an unbiased and non judgemental way. Once we get that forensic strategy meeting we will be in a better place we have been denied this on every occasion.

**29.** The other suspects full forensic reports including a list of all the clothing items that were sent for forensic analysis, and the police reports to accompany these items, and what item attributed to whom.

**31.** My lawyers were incompetent from the beginning including Mr Maurice Andrews who took over my case from my initial legal team he did not follow my instructions, gather the necessary information and present it.

* He failed to follow my verbal instructions, they failed to acquire recorded interviews from the CPS to verify witness statements and check for alterations
* He failed to get possession of the original photographs from the CPS especially the photo in question image 41 where police officer Clair O’Donnell gave a description of the balaclava depicted in that photo.
* He also failed to get from the CPS the master disc Ash files which would authenticate the photo’s (See Grant Fredericks report)
* He also failed miserably to obtain expert witness analysis report due to not having the vision to see the importance of getting all of the above materials to present to the expert analysis Mr Grant Fredericks which would enable him to assess the facts on which a decision is to be based and compile a report for the court, my verbal instructions to Mr andrews was not to proceed until he had all the facts.
* My case is very serious a life sentence is imposed upon me, by way of evidence that would support my case to the appeal courts. In spite of the facts Mr Andrews still went ahead and presented my case with no new evidence and no substance, my verbal instructions to Mr Andews were to authenticate the photographs by comparing disc/Ash files, we have no way to verify the photographs hence I would be at a disadvantage he wasted my time legal aid and the courts time.
* Mr Andrews himself agreed that if our request to the CPS were not met that would be an abuse of process and it would be a fruitless exercise he did not inform me that he had none of the aforementioned materials that I had instructed him to get.
* The caution rules you have the right to remain silence and not go into the witness box if you not so wish, I was instructed not to take the stand there is nothing illegal about that it’s within the law that is my right.