

ENGLAND AND WALES / JUDGMENT

R v Nathan Rochester

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[2026] EWCA Crim 557 WC2A 2LL ON APPEAL FROM THE CROWN COURT AT NOTTINGHAM (HIS HONOUR JUDGE RAFFERTY) [U20231777] Case No 2024/03315/B1 Friday 24 April 2026 B e f o r e: LORD JUSTICE DOVE MR JUSTICE SOOLE THE RECORDER OF THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA (His Honour Judge Edmunds KC) (Sitting as a Judge of the Court of Appeal Criminal Division)

R EX

- v – NATHAN ROCHESTER

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Non Counsel Application

J U D G M E N T

Friday 24 April 2026 LORD JUSTICE DOVE: I shall ask Mr Justice Soole to give the judgment of the court. MR JUSTICE SOOLE:

1. On 10 June 2024, in the Crown Court at Nottingham, the applicant, then aged 32, was convicted by the jury on one count of false imprisonment (count 1) and one count of causing grievous bodily harm with intent, contrary to section 18 of the Offences against the Person Act 1861 (count 2). He was subsequently sentenced to a total term of 12 years' imprisonment.
2. Following refusal by the single judge, the applicant now renews his application for leave to appeal against his conviction and for an extension of time (43 days) in which to do so.
3. The facts of the matter are set out in the Criminal Appeal Office Summary which has been provided to the applicant and do not require any detailed rehearsal. The essence of the case against the applicant and his co-accused, Salvatore Hall and Olivia Williams, was that in the early hours of 2 April 2023, and pursuant to a prior agreed plan, Vincent Jordan was lured by Olivia Williams to an address in Nottingham. This was followed by the arrival of three men – the applicant, Hall and one other – who falsely imprisoned him for a period of about two hours and in the course of that subjected him to a prolonged assault with weapons. Further, a part of the assault had been recorded on a mobile phone video.
4. The applicant denied presence or participation in the offence. After a number of abortive starts, the trial ultimately began on 21 May 2024. The applicant was represented by leading counsel. In the course of the trial, the applicant dismissed his counsel and indicated to the judge that he did not intend to take part in the trial.
5. The judge then had to decide whether or not the trial could proceed in the absence of the applicant. In a detailed ruling given on 24 May 2024, the judge concluded that he could and should do so. In the course of his careful analysis of all the factors to be taken into account in accordance with established case law, the judge observed that the applicant was, by accident or design, bent on disrupting the proceedings; and was an unruly defendant. Following the close of the prosecution case, the applicant was given the opportunity to return and hear the evidence of his co-defendants and to give evidence himself if he wished to do so, but the invitation was declined. In his legal directions to the jury, the judge included appropriate and conventional directions that the absence of the applicant from the trial was not evidence against him and must not affect their judgment.
6. By his notice of the proposed appeal and supporting letters to the court, the applicant in particular contends that: (1) certain phone expert evidence needed to be heard; (2) the police had failed to hand over phone downloads which proved his case; (3) his solicitors had failed to get anything ready for trial, including independent phone downloads and phone forensics;

- (4) and (5) the judge showed bias during the trial; (6) the jury was lied to during the trial, including false evidence that he (the applicant) had recorded the attack, when he was in fact on the phone, and that evidence to the effect that he had a broken hand and was on a phone call for about two hours was not mentioned; (7) he knew three of the jurors through previous wrongdoing, but the judge wrongly allowed them to stay on the jury; (8) the judge wrongly removed him from the trial; (9) his leading counsel had shouted at him; and (10) the judge was poisoning him with liquid radiation and was a sex offender.
7. The prosecution has prepared a Respondent's Notice, which contains a detailed reply to the essential proposed grounds of appeal. This has been duly supplied to the applicant and considered by this court. The applicant has been provided with the detailed decision of the single judge.
8. We have considered all of this material. Having done so, it is clear beyond doubt that there are no arguable grounds of appeal; nor is there any basis to doubt the safety of the applicant's conviction for these two offences. In particular: (a) there is no basis for the various allegations of bias and impropriety by the judge, or of misconduct by the police; (b) the judge's ruling on the conduct of the applicant and the continuation of the trial in his absence was plainly correct; (c) there was no basis for the applicant's assertions in respect of the identified jurors and the judge was therefore right to keep them on the jury; (d) there is no basis to support the allegation of inadequate or incompetent advice or representation by his legal representatives, whether solicitors or counsel; (e) as confirmed by counsel in court on 30 April 2024, all relevant material had been provided; and (f) the various references to mobile phone use and potential expert evidence provide no coherent or arguable basis to doubt the safety of these convictions. 9. In all these circumstances the proposed appeal has no prospects of success and, indeed, is totally without merit. Accordingly no purpose would be served by granting the necessary extension of time sought.

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