

NORTHERN IRELAND / JUDGMENT

Bowe, R v [2012] NICA 42 (9 October 2012)

[2012] NICA 42

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[2012] NICA 42 [New search] [Printable RTF version] [Help] Bowe, R v [2012] NICA 42 (9
October 2012) Neutral Citation No: [2012] NICA 42 Ref: COG8593 Judgment: approved by
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MAJESTY'S COURT OF APPEAL IN NORTHERN IRELAND

THE QUEEN -v- JONATHAN BOWE

Before: Morgan LCJ, Girvan LJ and Coghlin LJ

COGHLIN LJ [delivering the judgment of the court]

- [1] The applicant in this case, Jonathan Bowe, is a personal litigant who has represented himself for the purposes of this appeal. Before this court Mr David McDowell, who had appeared with Mr Liam McCollum QC during the trial, represented the respondent. The applicant was tried by his Honour Judge Millar QC sitting with a jury at Downpatrick Crown Court between 22 November and 9 December 2010. He was unanimously convicted of possession of a firearm in suspicious circumstances contrary to Article 64(1) of the Firearms (Northern Ireland) Order 2004 (the "Firearms Order"), possession of ammunition contrary to the same provision and possession of a handgun contrary to Section 3(1)(a) of the same Order. At the conclusion of his trial the applicant received a sentence of 7 years 6 months comprised of 3 years 9 months in custody followed by 3 years 9 months on licence. He was subject to a number of suspended sentences which were put into operation by the learned trial judge to run concurrently with each other but to be served before the new sentence came into operation. The applicant seeks leave to appeal against both his conviction and sentence.
- Background Facts

- [2] The applicant was originally charged with four other co-accused, namely, David Maurice Daniel Adams, Liam Duffin, Angelo Peter Johnston and Elizabeth Margaret McClure. On 7 June 2010 David Adams and Angelo Johnston pleaded guilty to each of the 3 counts on the indictment and on 8 February 2011 they were each sentenced to 5 years' imprisonment on each count, the sentences to run concurrently. During the course of the trial Elizabeth McClure submitted an amended defence statement alleging duress on the part of the applicant. The amended statement was supported by evidence of domestic and other violence allegedly used against her by the applicant. In the circumstances the learned trial judge decided that the indictment should be severed and that the jury should be discharged from returning any verdict against Elizabeth McClure whose trial was postponed to a later date. The case continued against the applicant and Liam Duffin and the Certificates of Conviction of David Adams and Angelo Johnston were produced in evidence.
- [3] In general terms the Crown case was that there had been an agreement for the transfer of a sawn-off shotgun and five cartridges from one group in the Cregagh area of East Belfast, involving David Adams and the applicant, to another group from West Belfast, represented by Angelo Johnston and Liam Duffin, on 22 May 2009.
- [4] In the course of his sentencing remarks the learned trial Judge provided the following account of the relevant facts in the light of the pleas and jury verdicts: "At about 4.30 pm Bowe and McClure left 15 Grove Street East and got into a black Ssang Yong jeep GIG 8091, McClure was driving, and headed in the Direction of the Beersbridge Road. At 5.02 pm the jeep stopped outside 25 Jocelyn Street, at the home of David Adams. Two minutes later at 5.04 the jeep drove off eventually turning onto the Cregagh Road and travelling countrywards. At 5.16 a blue Renault Scenic containing Johnston, Duffin and at least one other person as the driver, stopped at Northbank facing Shimna Close. The black Ssang Yong jeep was parked behind this vehicle facing in the same direction. Bowe accepted that he talked to the occupants of the Scenic car. At 5.24 pm a grey Renault Scenic taxi drove towards the Bellsbridge Roundabout from the citywards direction. The front seat passenger was Adams. A minute later the taxi turned into North Bank, Adams alighted carrying a red holdall over his shoulder, went over to Bowe who was standing in the middle of the road beside the jeep and the blue scenic car. Adams placed the holdall into the back of the blue Renault Scenic and then got into the rear seat of the jeep. At 5.27 pm the police tried to intercept the blue Renault Scenic which made off in a citywards direction along the Cregagh Road heading towards the Bellsbridge roundabout, it was travelling at high speed and partially mounted the footpath. As it approached the roundabout a red holdall was thrown from the vehicle. It then continued on the Cregagh Road and turned left into Dromore Street where it stopped with the junction of Willowholme Drive and two of the occupants got out. One who was wearing a red bomber jacket and carrying two plastic bags one green, one white went down an alleyway, whilst the other got back into the Scenic which then continued on towards Willowholme Drive. Meanwhile at 5.31 pm Bowe came out of Shimna Close, got into the front passenger seat of the jeep which had remained at North Bank. The jeep then made its way onto Mount Merrion Road where it was stopped by police at the

Bellsbridge roundabout, McClure was driving whilst Bowe was in the front passenger seat and Adams in the rear. Each was arrested and had their mobile phones seized. Bowe said that he had been visiting a Christopher Jordan of 18 Northbank. He was then observed attempting to pass £440 in cash to McClure. While the police were dealing with him, Bowe was repeatedly asked to put his phone down. The prosecution suggested during the trial that he was at this stage deleting information from his phone. The red holdall was recovered from where it had landed on the Cregagh Road and in it was found a shortened shotgun and five cartridges of compatible ammunition, this gun had been stolen from a house in Greyabbey, Co Down, in March 2008. A blue Renault Scenic was abandoned in an alleyway at the bottom of Reid Street. Its doors were open, its engine running. Shortly afterwards two males later identified as Johnston and Duffin were seen running out of Chesham Gardens and across Ardenlee Gardens. Constable Dallas shouted for them to stop and they immediately lay on the ground and were arrested. Angelo Johnston had been the rear seat passenger in the Scenic, both he and Duffin had cuts to their hands and were bleeding. Duffin stated that he had been 'out for a walk', he was given a warning to account for his presence at North Bank and replied, 'I don't know what firearm, I have no firearm on me'. Adams' DNA was found on the handle of the red holdall and a pair of jeans which were located within it. Blood from both Duffin and Johnston was found along the route they had taken from the Scenic to the point of their detection. DNA from the front near-side door handle of the blue Renault yielded a mixed profile that could not be resolved, that said the DNA from Liam Duffin could not be eliminated from the mixture. Evidence in the form of analysis of mobile phone traffic between the various defendants provided the link in particular between Bowe and Adams, and Bowe and Johnston. This established in particular that at 4.32 pm on 22 May, a text message emanating from a phone attributable to Bowe was sent to a phone attributed to Adams, this message stated as follows 'Good man on way'. Five minutes later at 4.37 pm, a call was placed from Bowe's mobile phone to one attributable to Johnston's and further calls were placed from Bowe to Adams at 4.59, 5.14 and 5.20. When interviewed by police Bowe admitted that he had been in telephone contact with Adams and had then been driven by McClure to Adam's house at Jocelyn Street at about 5 pm. When he arrived at Jocelyn Street, Bowe stated that he spoke to David Adams who came out to the front door of his property. He would not say what their conversation was about but he and McClure then drove to Northbank to see his friend Christopher Jordan. Whilst at Northbank he was approached by a number of persons who were in a car and while still talking to these people Adams appeared. Again no explanation was provided as to why Adams did this but the upshot was that McClure and Bowe then gave him a lift to the Rangers Club. It was while on route to the Club that police stopped the jeep."

- [5] The main thrust of the applicant's evidence at the trial was that he had been involved in a drugs transaction at the request of Christopher Jordan and had no knowledge of the firearm; had he known a firearm was involved he maintained that he would have 'walked away'. He gave evidence about contact between Jordan and himself on 21 May, claiming that there had been several phone calls and a couple of texts with the emphasis being on Jordan trying to

contact him. His case was that Jordan told him there was a job and that the applicant's role would be to extract the money before drugs were handed over by David Adams and to get the money to Jordan. The meeting was to take place at Jordan's front door. The applicant was needed because someone else was to be there with whom Jordan did not get on. He said Jordan knew he had recently lost money in a drugs deal, and he was chosen because Jordan knew he was skint and knew he could be relied upon. The applicant said that the deal was to result in a payment of £7,450 of which his cut was to be £450. The applicant was told to ensure that Adams was there on time and that the drug was cannabis.

- [6] In evidence the applicant said after sending his text to Adams, Liz McClure then drove him to Jocelyn Street in the Black Ssang Yong jeep. He denied bringing anything with him or seeing either the gun or the ammunition. He asked Adams if he was ready but was told that he was not and that he, Bowe, should go on to North Bank which he did. At North Bank he saw Christopher Jordan's sisters. He heard a whistle and looked over and saw four people in the blue Renault Scenic. Angelo Johnston was sitting in the rear seat behind the driver and he called the applicant over. The person beside Johnston sitting in the front passenger seat asked Johnston whether the applicant was 'sweet' and when that was confirmed the applicant was handed a bag of money which he took into Jordan's house. He said that when he got inside he went into the kitchen where the 'big man' was alone. He said the big man counted out the money. The applicant said he went out to the jeep when he discovered that the Scenic had gone and that Adams was sitting in the rear of the jeep. He denied that he had been present on the street when Adams arrived at Northbank maintaining that, at that time he had been inside Jordan's house talking to Jordan's sisters.
- [7] In his police interviews the applicant did not make any mention of the drugs deal and said that the £440 seized from him was part of £1,400 that had been previously seized from him in the course of a criminal investigation and that he had managed to recover at a court hearing some two weeks previously and put into his mother's account. The application to admit fresh evidence.
- [8] The primary ground of appeal relied upon by the applicant was based upon the allegation that he had been compelled by his legal advisors, contrary to his specific instructions, to adopt a concocted defence that he had been involved in a drug deal whereas, at all material times, he had no knowledge whatsoever of the firearms and ammunition and had simply been a 'victim of circumstance'. The Court acceded to the applicant's application to be allowed to call fresh evidence in support of this allegation in accordance with section 25 of the Criminal Appeal Act (Northern Ireland) 1980 (the "1980 Act").
- [9] The applicant stated that he had simply been visiting his friend Jordan and speaking to his sisters and, when he left their house, to his surprise, he found Adams in the back seat of the jeep and agreed to give him a lift. The applicant asserted that he had maintained those instructions throughout the course of preparation for the trial and into the trial itself. The applicant alleged that, some days into the trial, a consultation was held during which senior counsel informed him that he had come across messages relating to drugs in Johnston's

disclosed telephone records. The applicant said that counsel then suggested that they could devise a defence based upon his participation in a drugs deal emphasising that, up until that time, the applicant had been acting "Snow White" and that such an attitude was unlikely to impress a Downpatrick jury the members of which might very well be ex-police officers or have relations or friends who were police officers. The applicant said that counsel explained that if the jury accepted he had been acting as part of a drugs deal they could not convict him of possession of the firearm and that drugs were generally "less serious" than firearms. The applicant said he was advised to "sleep on it" by counsel.

- [10] The applicant said that he had a further consultation with both junior and senior counsel on the following day when he told them that he had "thought of a story" but that, in his view, counsel were "nuts" because if he told a jury that he had been involved in a drugs deal they were likely to convict him anyway of the firearms offences.
- [11] The applicant said that he telephoned his mother from prison who strongly advised him not to comply with counsel's suggestions and that he received similar advice from a female prison officer. Nevertheless, according to the applicant, he was placed under such pressure by senior and junior counsel that he reluctantly agreed to adopt a defence based upon being party to a drugs deal. He maintained that he was "schooled" by counsel who "filled in the blanks" for him in order to provide a plausible defence. While most of his allegations related to junior and senior counsel the applicant also told this court that he believed that his solicitor, who had been present at some if not all of the consultations, was also aware of the circumstances in which the drugs defence was being fabricated.
- [12] After allowing the applicant to give his testimony by way of fresh evidence the court permitted Mr McDowell to call a number of witnesses on behalf of the respondent. Mr McDowell called the applicant's legal representatives at the trial, Mr John Kearney QC, Mr Ian Turkington BL and Mr Paul McCrudden, solicitor. Mr McDowell also called the barrister, Mr Seamus McNeill, who had been retained to advise the applicant with regard to a potential appeal against his conviction. The court also permitted the applicant to call two prison officers for the purpose of confirming his contemporaneous complaints.
- [13] The salient points to emerge from the evidence called on behalf of the respondent and the applicant were as follows: (i) Both Mr Kearney and Mr Turkington emphatically denied the allegations made by the applicant and each firmly maintained that they acted in accordance with, and only with, instructions given by the applicant. The court was furnished with contemporaneous notes made by Mr McCrudden relating both to some of the evidence given during the trial and some of the consultations with the applicant. Mr McCrudden's note of a consultation with the applicant on Friday 26 November 2010 appears to be a record of an account of the drugs deal volunteered by the applicant punctuated, at times, by questioning from his representatives. The note included a reference to the name of the "main man" to whom the money was to be given but whose name the applicant was not prepared to reveal in evidence. (ii) It seems that the trial did not resume until Tuesday 30 November 2010, the wintry conditions having made a hearing impossible on Monday 29 November. On 30

November 2010 Mr McCrudden recorded a note of a consultation with the applicant in the cells at which Mr Turkington was also present. The note recorded that the applicant instructed his representatives that he now wished to rely on his original defence. In his evidence to this court the applicant claimed that this was the point at which his representatives threatened to walk out of the case. However, the note confirmed that the applicant was informed of the options open to his legal representatives in the context of the instructions that he had given them on Friday 26th. The applicant was informed that his representatives could not place before the jury a defence that they knew to be false and, therefore, depending upon his choice as to whether to give evidence, they could thoroughly test the case made by the prosecution or present the "drugs deal" account that he had previously disclosed. It appears that the applicant decided that he would give evidence in accordance with his "drugs deal" instructions. A further note made by Mr McCrudden on 2 December 2010, shortly before the applicant was due to give evidence recorded the applicant as saying "go for it" that he was happy with the advice he had received, that it was his choice at all times that if he was believed his story could lead to an acquittal and if he was not believed it could damage his case. (iii) In the course of his oral evidence Mr McCrudden confirmed the content of his contemporaneous notes as accurate. He maintained that the conduct of Mr Kearney and Mr Turkington had been absolutely professional at all times and was emphatic that he had no knowledge of and would not have countenanced any attempt to coerce the applicant or induce him to rely upon a fabricated defence. Mr McCrudden believed that he was present at every consultation with the applicant and he was able to recall that, in answer to a query from Mr Kearney, the applicant had explained the nature of the drugs known as "white widow" and "pollen". He said that the main reason for making his notes was the change in the applicant's instructions and he emphatically denied the applicant's allegation that he had been present when the applicant referred to counsel's suggested defence as being "nuts" and "suicide". Mr McCrudden remained the applicant's solicitor after conviction for the purpose of representing him at the sentencing hearing and advising him with regard to a potential appeal. (iv) In the course of his evidence before this court the applicant made the case that he had been coerced by his counsel into placing before the jury a fabricated defence which he himself considered to be "nuts" and "suicide" and, perhaps not surprisingly, he claimed that, after he was convicted by the jury on 9 December 2010, he felt a burning sense of injustice. However, it appears that when he saw Mr Winnington, probation officer, in January 2011 for the purpose of completing a pre-sentence report he maintained, throughout the interviews, that he believed he had been participating in a "drug deal" involving individuals he knew in East Belfast and individuals from West Belfast. He told Mr Winnington that his role was to ensure that the correct amount of cash was handed over in the drug deal and that, in return, he was promised a cash payment of £450.00. During the course of these conversations it seems that he made frequent references to an individual whom he said that he had named in the course of his police interviews who lived on the Cregagh estate and whom he alleged had organised the drug deal. When asked about the content of his interviews with Mr Winnington the applicant accepted that, at that time, there had been some 4-5 weeks since his conviction for

him to reflect but was unable to explain why he had not referred Mr Winnington to the alleged outrageous conduct of his counsel who he claimed to have considered to have been "nuts" and about whom he claimed to have complained to his mother and prison officers. Before this court the applicant offered the explanation that he "just wanted to see it through" and that it "seemed appropriate at the time". However it is difficult to see how there could be any substance in either of these explanations for recounting in detail to the independent probation officer preparing a pre-sentence report a story that he claimed to be false and which had been rejected by the jury. (v) As noted above, despite claiming that he had been aware of the fact that the drug story was fabricated by counsel, the applicant continued to retain Mr McCrudden as his solicitor for the purpose of seeking legal advice as to the prospects of a successful appeal. When Mr McCrudden relayed the negative views of Mr Kearney and Mr Turkington about the prospects of such an appeal, it seems that the applicant sought a second opinion. Accordingly, on 9 March 2011, Mr McCrudden arranged for the applicant to consult with Mr Seamus McNeill at Magilligan Prison. Mr McNeill gave evidence before this court explaining that, since he had not been involved in any way in the original trial and did not at that time have access to the full papers, he viewed this meeting as a preliminary consultation. He did not keep notes but he was emphatic that at no time during the consultation did the applicant give him any instruction or make any allegations that he had been coerced by his original counsel into placing a false defence before the jury. Mr McNeill was not cross-examined by the applicant. (vi) The court permitted the applicant to call as witnesses two prison officers to whom the applicant claimed that he had complained about the conduct of his counsel during the trial when he returned to the prison after attending court in November/December 2010. Both officers were able to recall the plaintiff coming in and out of the wing during the course of his trial and the fact that he talked about various aspects of the hearing. However, neither officer recalled any specific complaint made by the applicant about the conduct of his legal team.

- [14] The court has given careful consideration to all of the fresh evidence admitted on behalf of the applicant and the respondent in accordance with Section 25 of the Criminal Appeal (Northern Ireland) Act 1980. The fundamental issue is one of credibility involving allegations of gross professional misconduct on the part of legal representatives, who enjoy good character and reputation, made by the applicant who is an individual with a very substantial criminal record including offences of dishonesty. In addition, during the course of the hearing, the court observed the demeanour of the applicant and formed the opinion that he is a rather volatile and strong willed individual who would be unlikely to be easily coerced into following a course of action that he felt to be clearly contrary to his own interests. On the basis of the fresh evidence alone, the court has no difficulty in reaching the firm conclusion that there is no substance in the applicant's allegations. The additional grounds of appeal

- [15] The applicant alleged that there was a failure to make full and proper disclosure of fingerprint/DNA evidence relating to two individuals from Enniskillen that was said to have been found in the holdall that contained the sawn-off shotgun. He argued that such disclosure would have been of particular significance in the context of the evidence indicating that two individuals had escaped from the Renault Scenic before it was abandoned and Johnston and Duffin were apprehended. It seems that a schedule of disclosure was prepared for the purpose of the first instance trial. Mr McDowell, who was junior counsel for the respondent at that time, informed the court that he believed disclosure of this material had been made to counsel representing the various accused but he conceded that there was no written record of such disclosure and that, in particular, the schedule had not been amended. We take the opportunity to re-emphasise once again the fundamental importance of retaining written records relating to all disclosure made prior to and during the course of a criminal trial. While it is the responsibility of counsel acting on behalf of both the accused and the Crown to ensure that full and proper disclosure is effected prior to the hearing, the court recognises from experience that matters may arise at a late stage and, even during the course of a trial, as the evidence develops. Further disclosure may need to be made but, if so, it is the responsibility of counsel to ensure that the schedule is appropriately and accurately amended.
- [16] Ultimately, even if it is assumed that this evidence was not disclosed, the basic question for this court is whether such non-disclosure had the effect of rendering the conviction of the applicant unsafe. The case against the applicant was that he was the organiser/co-ordinator of the transfer of the firearm and, in our view, any such non-disclosure, assuming that it occurred, would not have the effect of rendering his conviction unsafe.
- [17] The applicant made a number of criticisms of the police investigation including police failure to check whether, apart from the applicant, there were any other fingerprints on the money found in his possession, failure to obtain a clear copy of the text sent by Adams to the applicant, failure to establish whether Adams had a second phone by means of which he might have been in contact with the two persons who escaped from the Renault Scenic, failure to confirm that the applicant had phoned the police at Castlereagh with regard to a money warrant issued against Ms McClure etc.
- [18] The Code of Practice for Northern Ireland Part II (Revised 2005) provided by the Department of Justice in accordance with Section 23(1)(a) of the Criminal Procedure and Investigations Act (Northern Ireland) 1996 provides: "3.4 In conducting an investigation the investigator should pursue all reasonable lines of enquiry, whether these point towards or away from the suspect. What is reasonable in each case will depend on the particular circumstances." In his commentary on the Code Valentine (at Folder 9) states: "Failure to pursue a line of enquiry which might lead to suspicion of another person being involved in the crime is not unfair to the defendant. It is no defence to a criminal charge to say that not all the offenders are before the court." We have carefully considered the allegations made by the plaintiff but, having done so, we are not persuaded that any failure on the part of the police investigation

infringed the applicant's right to a fair trial in accordance with Article 6 of the ECHR.

- [19] The applicant complained that there had been a failure to prove that the sawn-off shotgun was a firearm within the meaning of the Firearms Order, as opposed to a replica or toy, and that, in particular, it had not been test fired. For the purposes of the trial the weapon had been examined by Mr Leo Rossi, forensic scientist, who had prepared a report dated 5 October 2009. It is clear that Mr Rossi concluded that the weapon was a sawn-off 12 bore calibre hammer shotgun which was mechanically sound but was not test fired because of its shortened nature. Accordingly, we do not consider that there is any substance in this ground of appeal.
- [20] During the course of his submissions the applicant sought to raise a number of matters of evidence about which he took issue. The applicant is a personal litigant and, accordingly, the court recognised the challenging and difficult task that he faced in presenting an appeal from a trial which took several weeks to complete. However, it is important that all litigants should be aware that an appeal to this court is not a re-hearing.
- [21] The detailed Notice and grounds of appeal lodged by the applicant contained a number of matters about which the applicant did not advance any oral submissions before this court. The court has taken account of each of those grounds in the context of the applicant's submissions and the transcripts of evidence. However, having given careful consideration to all of the matters raised by the applicant in his detailed written and oral grounds of appeal, the court is not persuaded that the conviction of the applicant is in any respect unsafe and, therefore, leave to appeal against conviction is refused. The appeal against sentence
- [22] The applicant also appealed against the determinate sentence of 7 years 6 months comprising a custodial period of 3 years 9 months followed by an equal period on licence, imposed by the learned trial judge. He argued that the sentence was manifestly excessive and wrong in principle relying primarily on the disparity between his sentence as compared to the sentence of 6 years passed upon Duffin and those of 5 years passed upon Adams and Johnston, the latter comprising 2 years in custody and 3 years on licence.
- [23] In the course of his measured and carefully constructed sentencing remarks the learned trial judge correctly emphasised the gravity of gun crime as illustrated by the observations of Judge LCJ in *R v Wilkinson*
- [2009] EWCA Crim 1925 and recorded his own view that the statutory minimum sentence of 5 years applicable to the offence contrary to Article 70 of the Firearms Order was probably the best yardstick as to the appropriate level of sentence. He correctly distinguished the cases of Adams and Johnston, who had pleaded guilty to all three counts on the amended Bill of Indictment at a relatively early stage in the proceedings, stating that: "By so doing they are entitled to and will receive a high degree of credit and a shorter sentence than would otherwise have applied had each contested the charges."

- [24] In the case of Liam Duffin the learned trial judge took note of the fact that, unlike the applicant, he had admitted his guilt to the probation officer preparing the pre-sentence report. He also accepted that Duffin had not been a central figure in the operation and that the primary reason for his involvement had been to provide a presence in the vehicle as it entered potentially hostile territory. The accused Duffin had 43 previous convictions including two robberies, one burglary and one hijacking. By contrast, the learned trial judge recorded that the applicant had presented a defence that had been resoundingly rejected by the jury and that the Crown took the view that he had played a pivotal role as an organiser of the transfer of the gun which was borne out by the telephone and text traffic between him, Adams and Johnston during the period after 4.00 pm. He noted that the applicant had 107 previous convictions and that, while the majority of those offences related to road traffic and vehicle regulation matters, there were several offences of violence. At the time of the offences the applicant had been subject to terms of two suspended sentences of 6 and 3 months imprisonment, respectively, imposed for offences of being armed with an offensive weapon with intent to commit an offence and possessing an offensive weapon in a public place. He was also subject to suspended sentences of 18 months for handling and 12 months for criminal damage together with two sentences of 5 months each in relationship to offences of driving whilst disqualified. The learned trial judge also took into account the report from Mr Winnington expressing concerns about the applicant's enhanced risk taking and anti-social attitudes together with his willingness to engage in offending.
- [25] The learned trial judge clearly spent considerable time in determining the appropriate sentences to be imposed that would fairly and proportionately take into account the respective blameworthiness of each accused and their individual backgrounds. In practical terms, Adams and Johnston appear to have been credited with an approximate reduction of one third in recognition of their early pleas while the distinction between Duffin and the applicant may be related to the ultimate admission of responsibility by Duffin and his significantly smaller criminal record. This court has repeatedly underlined the significant benefit to be achieved by early pleas of guilty and, having carefully reviewed all the circumstances of this case, it remains unpersuaded that the sentence imposed upon the applicant is in any way manifestly excessive or wrong in principle. Accordingly, the application for leave to appeal against sentence is also dismissed. BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII URL: <https://www.bailii.org/nie/cases/NICA/2012/42.html>

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