

Criminal Law News



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How the Bribery Act affects companies at the London Olympics

Abstract

Companies should define and document the legitimate business purpose, such as the development of a specific business relationship or the promotion of a particular product or service, being the reason for this Olympic hospitality. This said, the London Olympic Games offer an opportunity to promote business and build commercial relationships and the UK Bribery Act does not prevent legitimate business development activities...

Criminal law's long and winding road through time

Sally Ramage

Abstract

English criminal law is concerned with the general good of the community. The one criticism of English criminal law is that it lacks the comprehensiveness of a moral code because criminal offences are drafted to meet particular social exigencies. There is a relationship between criminal law and morals. Judea-Christian moral values, liberal democracy and a shared tradition of the common law, provide the common ground. English law is formulated as principles applicable to English society. Christian moral values are the values still generally adhered to within society in the United Kingdom and English law is based on Roman law and Biblical laws. As society changes, so the laws to protect society change within the constraints of European law and International Conventions and Treaties...

The Eddie Gilfoyle story

Abstract

If an appeal has been unsuccessful, an application may be made to the *Criminal Cases Review Commission* (CCRC) as occurred in Gilfoyle's cases, namely, *R v Gilfoyle*¹ [1996] 3 ALL ER 883 (powers of court to receive fresh evidence); and *R v Gilfoyle*² (CCRC reference regarding murder conviction). Unlike Stefan Kiszko's imprisonment for murder (see *R v Stefan Kiszko*, 18 February, 1992) which was finally quashed, Gilfoyle was unsuccessful at the Appeal Court, even though Michael Mansfield, QC, argued that crucial evidence was missing and other evidence, such as Mrs Gilfoyle's diaries³ were withheld from the defence lawyers.⁴ The diaries dated from Mrs Gilfoyle's teens to her 20s, allegedly reveal she took an overdose...

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¹ *R v Gilfoyle* [1996] 3 All ER 88. This appeal was dismissed. One of the grounds of appeal then was that the verdict was unsafe in the light of evidence available from Professor Knight, a forensic pathologist. The court declined to receive his evidence on the ground that it was satisfied that defence counsel at trial had decided not to call Professor Knight and there was no error of judgment operating to Mr Gilfoyle's prejudice.

² *R v Norman Gilfoyle* [2000] EWCA Crim 81.

³ Donna Bowater, 'Eddie Gilfoyle's wife's diary held by police for 16 years', *Telegraph*, 29 May 2012.

⁴ Merseyside Police and HM Inspectorate have issued a joint statement 23/2/2012 (Re: Missing Box) after Dominic Kennedy of the Times Newspaper pointed out to the police the potential for a conflict of interest by involving the Humberside Force in the investigation. A former Chief Constable of the Humberside Force had a previous involvement in the Gilfoyle case.

