



Dear Applicant,

Thank you for agreeing to take part in The 36 Group advocacy competition. This pack contains all the information that you require in order to prepare to take part. The competition opens on the 16th October 2021.

The aim of this competition is to allow students to take part in an advocacy competition who are studying or have completed studies in any institution in the United Kingdom and who are in their third year and University, studying or have studied the GDL or BPTC or are waiting to do so. You may not apply if you have already obtained pupillage.

The 36 Group Oral Advocacy Competition

You need to record yourself opening this case for sentence to a Crown Court Judge. Your opening should set out the facts, the sentencing guidelines and the aggravating and mitigation factors.

The recording must be three minutes in length or less. If your entry is longer than 3 minutes those marking your entry will stop the recording at 3 minutes and listen to no more of it.

Once you have recorded your entry you must send it to pprior@36crime.co.uk by midnight on 13th November 2021 or earlier. Any entries received after that date will not be considered. You must forward your video and ensure that you put your name and the words Advocacy Competition -oral as the title of the message.

The 36 Group Written Advocacy Competition

There is also a written advocacy competition. You cannot take part in both. You are required to write a sentencing note for the Judge setting out the facts, the sentencing guidelines and the aggravating and mitigation factors.

Once you have completed your written work you must send it to pprior@36crime.co.uk by midnight on 13th November 2021 or earlier. Any entries received after that date will not be considered. You must forward your written work in either a PDF or word format and ensure that you put your name and the words Advocacy Competition -written as the title of the message.

The first round of the competition will be marked by members of the 36 Group who will be marking your entry based on the content of your opening for sentence and your skills in advocacy. The best 10 entrants will receive a mini pupillage with the 36 Group.

The scenario this year relates to drugs. Young people use drugs and some sell them to others in order to fund their habit. This is a very serious offence which carries a sentence of imprisonment.



If you are not successful in the first round we are unfortunately not able to provide feedback because of the sheer numbers of applicants.

Those who do succeed in the first round will go through to the second round where there will be a different oral and written exercise to complete.

The highest scoring 10 applicants in the written and oral advocacy competitions are guaranteed the opportunity to have a mini pupillage at the 36 Group for one week at a time convenient to you. Members work across the country so if you have geographical restrictions due to caring responsibilities or other difficulties we will try to work with you to find a suitable date and place. If you wish to have a mini pupillage in civil, commercial, public law or human rights it is more difficult to find work outside London and you may have to come to London to undertake the experience.

We aim to ensure that we provide access to our profession for students from all backgrounds. All we want is to see the work that you can do. We do not want to know anything else about you including where you study, your age or personal circumstances. Please do not submit a CV or covering letter. Let your advocacy speak for itself.

Good luck

Mary Prior QC

Head of Corporate Social Responsibility

The 36 Group

4 Field Court

London

October 2021



REASONS PEOPLE LOSE MARKS

1. Reading from a prepared script.
2. Not speaking clearly.
3. Speaking too fast.
4. Failing to understand the important issues in the case.
5. Failing to understand what factors aggravate and mitigate a sentence.



No 20214163

INDICTMENT

IN THE CROWN COURT SITTING IN LEICESTER

THE QUEEN V BOBBIE BELL

Bobbie Bell is charged as follows:

Count One

STATEMENT OF OFFENCE

Possession of a controlled drug of class B with intent to supply it to another contrary to section 5(3) Misuse of Drugs Act 1971.

PARTICULARS OF OFFENCE

On the 3rd October 2020 Bobbie Bell had in his possession a controlled drug of class B namely cannabis with intent to supply it to another.

Count Two

STATEMENT OF OFFENCE

Possession of a controlled drug of class A with intent to supply it to another contrary to section 5(3) Misuse of Drugs Act 1971.

PARTICULARS OF OFFENCE

On the 3rd October 2020 Bobbie Bell had in his possession a controlled drug of class A namely cocaine with intent to supply it to another.
Officer of the Court¹

¹ Notes

The offence under the Misuse of Drugs Act 1971 comes about in this way. Section 4 reads

<http://www.legislation.gov.uk/ukpga/1971/38/section/4>

Section 5 reads



WITNESS STATEMENT
Section 9 Criminal Justice Act 1967

STATEMENT OF CHARLIE COOK

This statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false or do not believe to be true.

Dated 5th October 2020.

Signed C Cook

I am a police officer currently stationed in Keyham Lane Police Station in Leicester. My teenager, Billie Cook attends Haven High School, London Road, Leicester. On the 3rd October 2020 I went to Haven High School at about 1600 as I had an appointment with the Head Teacher. It was a lovely sunny day. I was wearing shorts and a tshirt as I was not on duty. As I walked across the playground I saw three students huddled together with their hoods up. I saw one of the three who was wearing a bright red hoodie quickly hand another student wearing a green hoodie a package. The student wearing the green hoodie gave the student in red money. I think it was a £20 note. I was very suspicious of this behaviour. It looked like a drug deal. The third student who wore a yellow hoodie didn't seem to be doing anything. That student was texting on their phone. I saw Ms. Bright, the deputy Head walk towards me and I beckoned her over. She agreed that I should confront the group. I therefore walked over to the three. The student in the red hoodie looked up at me and said "Are you buying?" I introduced myself and detained the person in the red hoodie. The other two students ran off. I explained that I intended to search the person in the red hoodie and asked their name. The student said "Bobbie Bell. I haven't done anything. I want my mum here." I took Bobbie Bell to the Head Teacher's office where I searched the student. In a jeans pocket I found £100 in £20 notes (exhibit CC1) and 5 individual deals of cannabis wrapped in cling film (exhibit CC2). Inside the student's hoodie I found 25 wraps of a substance which I believed to be cocaine. I seized these items. I also seized Bobbie's mobile telephone (exhibit CC3). Bobbie Bell was arrested and taken to Keyham Lane Police Station where Bobbie Bell was interviewed. I have produced a summary of that interview which is exhibited as CC4.

The schools CCTV was viewed and the Head advised me that the student in green was

<http://www.legislation.gov.uk/ukpga/1971/38/section/5>

It is illegal to possess cannabis and cocaine Cannabis has been classified as a class B drug, cocaine has been classified as a class A drug.



called Danni Davies. The student in yellow was called Max Martin.

INTERVIEW OF BOBBIE BELL

Bobbie Bell was cautioned. He had a Solicitor present and an appropriate adult. He said that he bought the cannabis for his own use with birthday money. Bell planned to hide it in a school locker because he could not take it home. The £100 found upon him was birthday money and Bell said that he intended to buy trainers with it. Bell denied that the cocaine was his and said he had borrowed the hoodie from a friend who he refused to name that day as he had been cold. He denied supplying any drugs or receiving any money for drugs.

Bell was asked about texts on his telephone. There were texts on Bell's phone that Bobbie had sent to four people saying that they owed Bobbie money.

They read as follows:

20 9 2020 Bell to Josh Bennett - Josh you need to pay me the 200 you owe me for the yay. I'm not joking. Pay up or else.

24 9 2020 Bell to Sue Smith - Hi Sue. Time to pay up now. You owe 150. Need it by Friday.

2 10 2020 Bell to Brian Snail - B, could you pay the 100 for the weed by the weekend please? Need to re-load.

3 10 2020 Bell to Hamza Patel - HP. Pay up by the end of today bro. Sick of asking you.

Bell said that the money was for a school trip. When the content of the messages were read to him he got upset and refused to answer any other questions.



WITNESS STATEMENT
Section 9 Criminal Justice Act 1967

STATEMENT OF PC ALEX CLOWES

This statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false or do not believe to be true.

Dated 5th October 2020
Signed A CLOWES

I am a trained drugs expert with Leicestershire police. I have been asked to provide a valuation for the drugs seized by PC Cook. The cannabis is valued at £50.00 (£10 per deal) and the cocaine is valued at £500 (£20 per deal). I have read the text messages in this case. Yay is a street word for cocaine. Weed is a well known word for cannabis.



WITNESS STATEMENT
Section 9 Criminal Justice Act 1967

STATEMENT OF MAX MARTIN

This statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false or do not believe to be true.

Dated 8th October 2020.
Signed M Martin

On the 3rd October 2020 at about 1600 I was in the playground of the Haven High School with Bobbie Bell and Danni Davies. We were just chatting. I know Bobbie smokes weed. I don't use it. As we were chatting Danni asked Bobbie if he had any spare cannabis. Bobbie said that he did not have any spare but that he could sell him some. Danni asked how much and Bobbie said £20. I saw them exchange something but I'm not sure what it was as I was on my phone. Then the policeman came over. I was scared so I ran off. When I went to school the next day I had to go to the Head's office and I told the Head what happened. The Head called the police and I made this statement. I really don't want to get involved in this case. I would rather not give evidence. I am frightened that I will get assaulted if I do. I don't know anything about cocaine.



IN THE CROWN COURT AT LEICESTER

REGINA

V

BOBBIE BELL

DEFENCE STATEMENT

1. I deny that I had any intention of selling any drugs.
2. I have no criminal convictions or cautions recorded against me. I am 17 years old.
3. I accept that I was in possession of cannabis. I smoke cannabis. I have anxiety and depression and cannabis makes me feel better.
4. I did have £100 on me. That was my birthday money. I was planning to go into town and buy some trainers with it after school.
5. I had borrowed a hoodie from a friend I won't name. I had no idea it had cocaine in it. I have never used or sold cocaine.
6. As I was about to leave I said goodbye to Danni Davies. We have our own handshake to say goodbye to each other. We were not exchanging anything.
7. When the man came up to us Danni and Max ran off. They both had cannabis on them. They did not want to be caught. The man grabbed hold of me. I was really scared. I denied dealing drugs because I wasn't. I bought the cannabis in bulk so it was cheaper. I used my birthday money to buy £100 worth. I was going to hide it in my locker at school but I hadn't got there by the time the man arrived. I bought the cannabis from another student at school. Loads of people smoke cannabis there.
8. I had no intention of supplying drugs to anyone. The cannabis was for my own use.
9. I agree that there are texts on my phone about four people owing me money. That was for a school trip we went on. They couldn't afford it so I paid for them and they were paying me back. The comments about drugs in them are just jokes/banter. We often pretend to be "street" but we are not.



WITNESS STATEMENT
Section 9 Criminal Justice Act 1967

STATEMENT OF DANNI DAVIES

This statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false or do not believe to be true.

Dated 5th October 2020
Signed D DAVIES

I was at school on the 3rd October 2020 at about 1600. I was saying goodbye to my friends when a man stormed up to us looking really angry. I panicked and ran off. I do not smoke any drugs and I did not buy any drugs that day. I did shake my mates' hands before I left but that was it. There is a big drugs problem at school but it's nothing to do with me. I know some one called Billie Cook had been in trouble at school for smoking weed. Billie had been suspended. That's all I know. I don't know why Max Martin is lying but he is.



WITNESS STATEMENT
Section 9 Criminal Justice Act 1967

STATEMENT OF JO JOHNSON

This statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false or do not believe to be true.

Dated 5th October 2020.

Signed J Johnson

I have known Bobbie Bell since Bobbie was born. I live next door to the family. Bobbie is a truthful person who you can rely on. I'm disabled now and Bobbie helps me out almost every day by doing trips to the shops for me or putting my rubbish out. Bobbie always is happy to help and does all these jobs with a smile. Bobbie also helps out at the youth club with the younger children. Bobbie is very popular there. Bobbie also raises money for the youth club by doing sponsored events, like a sponsored walk. Bobbie is a very fine person and I'm very happy to give this reference for Bobbie. I've never seen Bobbie smoking anything.



NATIONAL OFFENDER MANAGEMENT SERVICE

PROBATION SERVICE

PRE-SENTENCE REPORT

This is a pre-sentence report as defined in section 158 of the Criminal Justice Act 2003.

Name Bobbie Bell

Date of Birth. 6th October 2003

Address 17 Berlin Street, Leicester

Sentencing Court. Leicester Crown Court

Hearing date. 18th October 2021

Offender Details

Mr. Bell is now aged 18 years. He has no previous convictions.

Offender Analysis

Mr. Bell says that he was made to deal cannabis and cocaine because he had developed a debt to his supplier of cannabis. He felt had no choice but to deal drugs.

Offender Assessment

Mr, Bell is 18. He was 17 when he committed these offences. He pleaded guilty on the day of trial. He has spent 12 months waiting for the court process to be completed. He was suspended from sixth form but was allowed to be taught remotely due to covid. He has achieved three A levels at AAB. He has a place at Birmingham University to study history. He has started his course this last week. He understands that this place may need to be suspended. He has not told the University about this ongoing case. He appears to believe that cannabis should be legalised and fails to recognise that he has done anything wrong in using it or selling it. He told me that he has a heavy cannabis habit spending £100 per week on it. He has continued to use cannabis since his arrest.

As to the cocaine Mr. Bell told me that he pleaded guilty to that on legal advice and that he



has nothing to say about it. He recognised that cocaine is a dangerous drug and that it can kill people if not administered properly.

Mr. Bell lives with his mother and his five siblings. His father left home after his youngest sibling was born 10 years ago and he has not been heard of since. The family live on benefits. AT home Mr. Bell has not presented any problems and seems to have been helpful to his neighbours.

He is fearful of a custodial sentence and says he will do anything to avoid one.

Pattern of offending

There is no pattern of offending as Mr. Bell has no previous convictions.

Risk Assessment

Mr. Bell poses a medium risk of re-offending without work surrounding the dangers of drug use and addiction.

Risk of serious harm and re-offending

Mr. Bell does not pose a risk of serious harm to the public. He does pose a medium risk of reoffending.

PROPOSAL

These offences may well attract a custodial sentence and the Court may take the view that Mr. Bell should be made subject of a custodial sentence to mark the seriousness of his offending.

My recommendation is that he is made the subject of a community order for 24 months with conditions of an electronically monitored curfew for 3 months, a rehabilitation activity requirement of 15 days to work on substance misuse and unpaid work for 180 hours. It is hoped that Mr. Bell will work with the young offending team and ensure that he does not come before the Courts again.

Mr. Bell has had the proposal outlined to him and he is happy to comply with it.

He is still a very young man and it is hoped that the court can take an exceptional course in his case.



The sentencing code can be found here.

<https://www.legislation.gov.uk/ukpga/2020/17/contents/enacted>