

APPEAL REVIEW UK

Sample Case Review Report

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Client:	Mr A (anonymised sample)
Sentence under review:	17 years' imprisonment in the Crown Court
Date of report:	22 June 2026
Prepared by:	Senior Reviewer, Appeal Review UK

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Executive summary

Mr A was sentenced to 17 years' imprisonment in the Crown Court following conviction for conspiracy to supply a Class A controlled drug. He instructed Appeal Review UK to carry out a fixed-price review of his case papers to identify whether there were any arguable grounds of appeal against sentence.

After reviewing the indictment, the sentencing remarks, the pre-sentence report, the basis of plea (where applicable) and selected trial transcripts, we have identified a number of serious concerns about the way in which the sentence was constructed. In our view, there are realistic prospects that the Court of Appeal (Criminal Division) would reduce the sentence significantly if leave to appeal is granted and the matter is argued before the Full Court.

Original sentence	17 years' imprisonment
Potential outcome	9 years 4 months' imprisonment (indicative)
Primary issue	Wrong categorisation under the Sentencing Council guideline; starting point set too high
Secondary issues	Inadequate credit for personal mitigation; possible totality concerns
Next step	Apply for leave to appeal sentence within 28 days; instruct solicitor of record

Our overall assessment is that this case warrants an application for leave to appeal sentence. The grounds are not guaranteed to succeed, but they are properly arguable and supported by the material we have reviewed.

Documents reviewed

The following documents were provided by the client and reviewed as part of this assessment:

- Indictment (counts, dates and co-defendants);
- Sentencing remarks of the trial judge (transcribed);
- Pre-sentence report prepared by the Probation Service;
- Basis of plea agreed between the Crown and the defence;

- Defendant's personal mitigation statement and character references;
- Selected trial transcripts covering opening, relevant evidence and defence submissions;
- Previous convictions (antecedent history);
- Relevant sentencing guideline from the Sentencing Council.

We have not reviewed the full trial bundle, any unused material, or any communications between the client and his previous solicitors. Our conclusions are limited to the documents listed above.

Summary of facts

Mr A was said by the Crown to have played a significant role in a conspiracy to supply cocaine over a period of approximately six months. The prosecution relied on telephone evidence, ANPR data, and observations by surveillance officers. The defence disputed the level of involvement attributed to Mr A.

Following a Newton hearing on the basis of plea, the trial judge found that Mr A's role was between "significant" and "leading". The judge then sentenced on the basis that Mr A had directed or organised the activity of others within the conspiracy, albeit not at the very highest level.

The judge imposed a headline sentence of 20 years, discounted to 17 years to reflect personal mitigation and the defendant's previous good character. No separate credit was given for time spent on qualifying curfew.

Legal analysis

Issue 1 — Culpability and role under the sentencing guideline

The Sentencing Council guideline for supply offences requires the court first to determine the offender's role (leading, significant or lesser) and then the category of harm by reference to quantity. The judge's sentencing remarks indicate that Mr A was placed in the leading-role category.

In our view, the evidence relied upon does not comfortably support a leading-role categorisation. The observations and communications are more consistent with a significant role — someone trusted within the chain, but not directing or organising others. The distinction is critical: moving from "significant" to "leading" raises the starting point by several years.

Relevant authorities include *R v Agyeman* [2018] EWCA Crim 1757 and *R v Khan* [2020] EWCA Crim 134, both of which emphasise that a leading role must be established by clear evidence of direction, organisation or substantial financial gain, not merely by association or frequent contact.

Issue 2 — Starting point and the discount for mitigation

Even on a leading-role categorisation, the starting point of 20 years appears at the upper end of the applicable range. The judge gave only a modest discount (three years) for personal mitigation, previous good character, and the delay in bringing the case to trial.

In our assessment, the discount was insufficient. The mitigation advanced — including strong personal references, a genuine attempt at rehabilitation, and the absence of any prior convictions —

ought to have attracted greater weight. The authorities make clear that mitigation, while not a reason to depart from the guideline range, is a material consideration in fixing the final sentence within that range.

Issue 3 — Totality and consecutive sentences

Although the conspiracy count attracted the principal sentence, the judge also imposed short consecutive sentences for associated counts. The combined effect was a total sentence of 17 years. There is a realistic argument that the principle of totality was not properly applied and that the overall package is, when viewed as a whole, excessive for the offending and the offender.

Arguable grounds of appeal

Based on the analysis above, the following grounds of appeal against sentence are properly arguable:

- **Ground 1 — Wrong categorisation:** The judge erred in placing the appellant in the leading-role category when the evidence, taken at its highest, supported no more than a significant role. This produced an inflated starting point.
- **Ground 2 — Excessive starting point:** Even accepting the leading-role categorisation, the starting point of 20 years was too high in the circumstances of this case and failed to reflect the appellant's limited function.
- **Ground 3 — Inadequate mitigation:** The discount allowed for personal mitigation, good character and delay was insufficient and did not give proper weight to the mitigating features advanced on behalf of the appellant.
- **Ground 4 — Totality:** The consecutive sentences for associated counts produced an overall sentence that was excessive and failed to apply the principle of totality.

Assessment of prospects

We assess the prospects of a successful appeal against sentence as **realistic**. The case is not a certainty, but the sentencing structure is open to serious criticism and the Court of Appeal has reduced similar sentences where the categorisation or starting point has been shown to be wrong.

The likely outcome, if the appeal is allowed, would be a reduction in the headline sentence and a corresponding reduction in the overall term. Our indicative view is that a sentence in the region of 9 years and 4 months would properly reflect the offending and the mitigation, although this is an estimate only and the Court of Appeal may take a different view.

Recommended next steps and time limits

The following steps should be taken promptly. The 28-day time limit for applying for leave to appeal against sentence runs from the date of sentence. Late applications are possible but require an extension of time and an explanation for the delay.

- Instruct a solicitor of record to apply for leave to appeal sentence to the Court of Appeal (Criminal Division).
- Prepare and lodge the required forms (Form NG) together with a concise skeleton argument and the sentencing remarks.
- Obtain a written opinion from a junior barrister or King's Counsel on the strength of the grounds before the hearing.
- Gather any further mitigation evidence (post-sentence references, courses completed in custody, medical reports).
- Keep a careful note of all deadlines; the Single Judge may grant or refuse leave without an oral hearing.

What this report does not cover

This review is limited to a sentence appeal assessment. We have not advised on conviction appeals, parole, licence conditions, confiscation proceedings, or any application to the Criminal Cases Review Commission. Those matters would require separate review and may involve different time limits and procedural rules.

Confidentiality and data handling

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