



KRW LAW Statement on behalf of Hazel Stewart

Hazel Stewart applied to the Court of Appeal to seek leave to appeal against her sentence on the grounds that she was a victim of coercive control by her co-accused Colin Howell. To support her application, she sought to rely on new medical evidence which was not previously available, either to her or her previous legal representatives. The only expert commissioned to examine the case was world renowned expert in coercive control, Dr Duncan Harding.

Today's decision of the Court of Appeal to refuse leave is disappointing but in many ways not unexpected given the very high bar we had to reach to convince the court to look at this relatively new issue after so many years. The Prosecution challenged our entitlement to mount such an application on a number of grounds including delay; the nature of the instruction to the expert and the fact that technically the case ought to have been taken to the CCRC.

We asserted that the court did have jurisdiction to engage on the case now rather than proceed to the CCRC. The court has now deliberated on its jurisdiction on whether or not to allow application and cited a series of technical deficiencies to confirm why the case must be dismissed. Notwithstanding this morning's dismissal we accept entirely that our client received a fair hearing.

Today's ruling doesn't end the quest for Hazel Stewart to highlight that she was a victim of coercive control.

She engaged with the criminal justice agencies in an open and transparent manner to present as a victim of criminality. She made her case to a specialist abuse unit of the PSNI to allege that she was drugged, sexually and mentally abused and raped by Colin Howell. For that she is to be commended in taking the decision to come forward. It wasn't taken lightly. She wants to thank the investigators for pushing her case as best they could before a direction was eventually taken by the PPS to decline a prosecution. After a lengthy review process that direction was affirmed. It was against this background that a decision was then taken to mount an application to reopen her sentence.

It's also important to note that the substance of Dr Harding's findings hasn't been challenged in any way. He prepared three reports based on detailed consultation with our client and significantly having access to detailed medical and other records none of which were seen by all other previously commissioned experts. In affidavit evidence submitted to the court, Dr Harding invited all previous and any new expert to examine his findings. That hasn't happened yet and until it does his findings remain the only formal recorded and as yet untested finding that Hazel Stewart was suffering from coercive control during her relationship with Colin Howell.

It shouldn't be lost on any one that Hazel Stewart has the full backing and support of her family which includes Trevor Buchanan's 2 children . That support has been with her ever since her conviction for her role in the double killing of her husband and Colin Howell's wife over 20 years ago. That support has been here as well throughout the criminal investigation against Colin Howell and right up until today's appeal ruling. Equally we have no doubt that support will be there for her as she deliberates on her legal position including the prospect of a final application to the CCRC based on the as yet completely unchallenged findings of Dr Harding. His reports remain as the

most up to date medical and psychiatric commentary on the complexities of the coercive controlling relationship at the heart of this case

Finally, we are mindful that any decision making in this case will be informed by the courts concern on the emotional impact of further legal engagement on the families of each victim

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