**THINKING ABOUT THE ELLIE BUTLER CASE – USEFUL RESOURCES**

**The judgments**

* The judgment of the Court of Appeal quashing Ben Butler’s original conviction : R v Henderson & Others [**2010**] EWCA Crim 1269 (pas 84-118) [www.bailii.org/ew/cases/EWCA/Crim/2010/1269.html](http://www.bailii.org/ew/cases/EWCA/Crim/2010/1269.html)
* The **October 2012** judgments can be found by anyone with a FLR subscription in paper or online form, but are no longer available on BAILII : LB Sutton v Gray v Butler [2012] EWHC 2604 (Fam) and [2012] EWHC 2763 (Fam)
* The 2014 King J judgment (redacted by the Coa) [www.judiciary.gov.uk/wp-content/uploads/2016/07/matter-of-c-child.pdf](https://www.judiciary.gov.uk/wp-content/uploads/2016/07/matter-of-c-child.pdf)
* The sentencing remarks of Mr Justice Wilkie on Ben Butler (murder) and Jennie Gray’s (perverting the course of justice) in respect of Ellie’s death (**21 Jun 16**) [www.judiciary.gov.uk/wp-content/uploads/2016/06/r-v-butler-gray-sentencing.pdf](http://www.judiciary.gov.uk/wp-content/uploads/2016/06/r-v-butler-gray-sentencing.pdf)
* The 2016 CoA judgment permitting publication of the King J judgment : C (A Child) [2016] EWCA Civ 798 (**29 July 2016**) [www.bailii.org/ew/cases/EWCA/Civ/2016/798.html](http://www.bailii.org/ew/cases/EWCA/Civ/2016/798.html)

**The Serious Case Review (Overview Report)**

* <https://drive.google.com/file/d/0B5ILmebheQx3YmhvbjVYOHlpN2M/view>
* And the accompanying press releases (21 Jun 16): [www.suttonlscb.org.uk/seriouscasereviews.php](http://www.suttonlscb.org.uk/seriouscasereviews.php)

**Media Coverage**

* **The Guardian** –
  + Ben Butler jailed for life for murdering six-year-old daughter Ellie (Girl’s grandfather demands full inquiry into why high court judge reunited her with Butler less than a year before she died) (21 Jun 16) [www.theguardian.com/uk-news/2016/jun/21/ben-butler-found-guilty-of-murdering-six-year-old-daughter-ellie](http://www.theguardian.com/uk-news/2016/jun/21/ben-butler-found-guilty-of-murdering-six-year-old-daughter-ellie)
  + Ellie Butler's grandfather: 'The devastation is complete and utter' (Neal Gray looked after Ellie until she was returned to her father, who killed her. Now he has nothing but a quest for answers) (21 Jun 16) [www.theguardian.com/uk-news/2016/jun/21/ellie-butler-grandad-devastation-complete-neal-gray](http://www.theguardian.com/uk-news/2016/jun/21/ellie-butler-grandad-devastation-complete-neal-gray)
  + Ellie Butler judge 'took unwarranted steps' to reunite her with violent parents

(Mrs Justice Hogg criticised by case review for ‘extraordinary’ decision to return child 11 months before father beat her to death) (contains significant additional criticism from Marion Davis author of SCR) [www.theguardian.com/uk-news/2016/jun/22/ellie-butler-judge-took-unwarranted-steps-to-reunite-her-with-violent-parents](http://www.theguardian.com/uk-news/2016/jun/22/ellie-butler-judge-took-unwarranted-steps-to-reunite-her-with-violent-parents)

* + High court refuses to publish Ben Butler judgment from 2014 (Judge denies media application, saying releasing document could prejudice any retrial of man who murdered Ellie Butler) (22 Jun 16) [www.theguardian.com/law/2016/jun/22/high-court-refuses-to-publish-ben-butler-judgment-from-2014](http://www.theguardian.com/law/2016/jun/22/high-court-refuses-to-publish-ben-butler-judgment-from-2014)
  + Ben Butler to appeal against conviction for murdering daughter Ellie (22 July 16) [www.theguardian.com/uk-news/2016/jul/22/ben-butler-appeal-conviction-murdering-daughter-ellie](http://www.theguardian.com/uk-news/2016/jul/22/ben-butler-appeal-conviction-murdering-daughter-ellie)
  + Judge wrong to bar publication of Ellie Butler ruling (29 July 16) [www.theguardian.com/uk-news/2016/jul/29/judge-wrong-to-bar-publication-of-ellie-butler-ruling](http://www.theguardian.com/uk-news/2016/jul/29/judge-wrong-to-bar-publication-of-ellie-butler-ruling)
* **BBC** –
  + Ellie Butler: Granddad of murdered girl disowns 'aggressive' daughter (22 Jun 16) [www.bbc.co.uk/news/uk-england-london-36594542](http://www.bbc.co.uk/news/uk-england-london-36594542)
* **Daily Mail** –
  + Man, 33, arrested after unexplained death of six-year-old girl who collapsed and died later in hospital (29 October 2013) (link not provided as breaches RRO)
  + 'How did I have a daughter so evil she let her partner kill my grandchild?' Grandfather of Ellie Butler who was murdered by her violent father rages at all of those who betrayed her (12 August 16) [www.dailymail.co.uk/news/article-3737351/How-did-daughter-evil-let-partner-kill-grandchild-Grandfather-Ellie-Butler-murdered-violent-father-rages-betrayed-her.html#ixzz4Lqy2Kp4b](http://www.dailymail.co.uk/news/article-3737351/How-did-daughter-evil-let-partner-kill-grandchild-Grandfather-Ellie-Butler-murdered-violent-father-rages-betrayed-her.html#ixzz4Lqy2Kp4b)
  + Scheming father played the victim on TV claiming there had been a miscarriage of justice as he launched a campaign to win back his daughter - months later he battered her to death (…He was jailed in 2009 but had conviction overturned the following year. 36-year-old then launched brazen campaign to win back custody of Ellie. He protested his innocence, accusing courts of a 'miscarriage of justice'. Claims were so convincing that judge called it a 'joy' to reunite the family) (21 Jun 16) [www.dailymail.co.uk/news/article-3565326/How-Ben-Butler-went-TV-publicity-campaign-win-daughter-battered-death.html](http://www.dailymail.co.uk/news/article-3565326/How-Ben-Butler-went-TV-publicity-campaign-win-daughter-battered-death.html)
  + Judge bans publication of a family court judgment relating to Ellie Butler's murderous father because it is too sensational to be reported - and might jeopardise the killer's chance of appeal (5 July 16) [www.dailymail.co.uk/news/article-3675676/Judge-bans-publication-court-hearing-relating-Ellie-Butler.html](http://www.dailymail.co.uk/news/article-3675676/Judge-bans-publication-court-hearing-relating-Ellie-Butler.html)
* **Society of Editors** –
  + Media appeal over Ellie Butler judgment ban (5 July 16) (useful exposition of arguments on publication of King J judgment and other facts unavailable elsewhere) [www.societyofeditors.org/soe-news/05-july-2016/media-appeal-over-ellie-butler-judgment-ban](http://www.societyofeditors.org/soe-news/05-july-2016/media-appeal-over-ellie-butler-judgment-ban)

**Commentary**

* **Family Law Journal** –
  + A ‘miscarriage of justice’ corrected: the difference expert evidence and a full re-hearing can make to the outcome: Sutton LBC v Gray and Butler (Jo Delahunty QC, William Tyler) (counsel for Ben Butler in 2012) [2012] Fam Law 1344
  + Re-litigation in family cases: the emerging law and practice Butler (Jo Delahunty QC, William Tyler) [2013] Fam Law 40.
* **Pink Tape** (Lucy Reed) –
  + What Price Transparency (25 June 16) [www.pinktape.co.uk/rants/what-price-transparency/](http://www.pinktape.co.uk/rants/what-price-transparency/)
  + Ellie Butler murder – some of the things the press haven’t told you (26 June 16) [www.pinktape.co.uk/rants/ellie-butler-murder-some-of-the-things-the-press-havent-told-you](http://www.pinktape.co.uk/rants/ellie-butler-murder-some-of-the-things-the-press-havent-told-you)
* **Transparency Project** –
  + Ellie Butler – drawing together some strands and discussion (Andrew Pack, Lucy Reed, Sarah Phillimore, Louise Tickle, 30 Jun 16) – [www.transparencyproject.org.uk/ellie-butler-drawing-together-some-strands-and-discussion](http://www.transparencyproject.org.uk/ellie-butler-drawing-together-some-strands-and-discussion) (conversation between the speakers about issues arising following the criminal convictions, SCR publication and press coverage)
  + Ellie Butler – some useful resources (Lucy Reed, 3 July 16) [www.transparencyproject.org.uk/ellie-butler-some-useful-resources](http://www.transparencyproject.org.uk/ellie-butler-some-useful-resources)
  + Lessons from the Ellie Butler case (Sarah Phillimore, 27 July 16) [www.transparencyproject.org.uk/lessons-from-the-ellie-butler-case](http://www.transparencyproject.org.uk/lessons-from-the-ellie-butler-case)
  + Ellie Butler – the missing judgment about her sibling (Lucy Reed, 29 July 16) (relating to the publication of the King J judgment and its shocking contents) [www.transparencyproject.org.uk/ellie-butler-the-missing-judgment-about-her-sibling](http://www.transparencyproject.org.uk/ellie-butler-the-missing-judgment-about-her-sibling)
  + Two million things wrong with this headline… (Lucy Reed, 6 Aug 16) (relating to reporting around legal aid in the Butler case) [www.transparencyproject.org.uk/two-million-things-wrong-with-this-headline/](http://www.transparencyproject.org.uk/two-million-things-wrong-with-this-headline/)
* **Transform Justice** - Is the appeal system the only way judges’ mistakes can be addressed? (Penelope Gibbs, 1 July 16) (a response to the Lessons post on the Transparency Project on 27 July - above) [www.transformjustice.org.uk/if-judges-make-mistakes-what-should-be-done-if-anything/](http://www.transformjustice.org.uk/if-judges-make-mistakes-what-should-be-done-if-anything/)
* **Suesspicious Minds** (Andrew Pack) –
  + A Tapestry of Justice (12 October 12) <https://suesspiciousminds.com/2012/10/12/a-tapestry-of-justice/>
  + “Blood on her hands” (21 June 16) <https://suesspiciousminds.com/2016/06/21/blood-on-her-hands/>
* **Child Protection Resource** (Sarah Phillimore) - What happens when a child gets hurt and we don’t know who did it? (26 June 16) (regarding the family court approach to serious unexplained injuries in children, in light of the Ellie Butler case) [www.childprotectionresource.online/what-happens-when-a-child-gets-hurt-and-we-dont-know-who-did-it/](http://www.childprotectionresource.online/what-happens-when-a-child-gets-hurt-and-we-dont-know-who-did-it/)

**Other :**

* **London Borough of Sutton**
  + Sutton Council statement on Ellie Butler (23 Jun 16) [www.newsroomsutton.co.uk/?p=3516](http://www.newsroomsutton.co.uk/?p=3516)
* **Children’s Commissioner** –
  + Anne Longfield's statement following the conviction of Ben Butler for the murder of his daughter (21 June 16)[www.childrenscommissioner.gov.uk/news/anne-longfields-statement-following-conviction-ben-butler-murder-his-daughter](http://www.childrenscommissioner.gov.uk/news/anne-longfields-statement-following-conviction-ben-butler-murder-his-daughter)
  + Voice of children like Ellie Butler must be heard (28 Jun 16) [www.childrenscommissioner.gov.uk/news/voices-children-ellie-butler-must-be-heard](http://www.childrenscommissioner.gov.uk/news/voices-children-ellie-butler-must-be-heard)

**Lucy Reed**

**2 October 2016**

**A copy of this document will be placed on The Transparency Project blog (www.transparencyproject.org.uk) so that the URLs cited can more easily be accessed.**