

## Curriculum Vitae

### Charlotte Lucinda Surley

Called 2000 Middle Temple

Admitted as Solicitor 2005

Higher Rights of Audience 2008

Appointed to sit as Specialist Lay Member in the First Tier Tribunal Health and Social Care (Mental Health) 2021

### Expertise

I specialise in representing those facing particularly serious sexual and non-fatal assault allegations in relation to adult and child complainants. I also have experience in representing defendants accused of murder and firearms offences, as well as lesser offences before the Crown Court. I have considerable expertise in relation to autism and mental health, including acting as a Court Appointed Advocate for defendants who have been found unfit to plead.

I have undertaken the Advocacy and the Vulnerable training.

I have attended and delivered training on the topics of autism, and mental health in the criminal justice system. My skills are particularly suited to representing defendants with mental health challenges, intellectual disabilities or who may be neurodivergent (i.e. autistic, have ADHD or related traits).

I have a strong history of consistently returning positive results in unusual or particularly distressing cases involving complex defences and/or vulnerable defendants or witnesses. I attribute this success to my empathic, respectful and down-to-earth approach when engaging with clients and addressing the jury.

### Notable Cases

Set out below is a selection of the most recent cases in which Charlotte Surley has been instructed. It should not be regarded as exhaustive.

#### Serious Violence/Other Serious Offences

##### **R v H 2023**

Court appointed advocate for a mentally unwell defendant who was accused of two counts of arson reckless as to whether life would be endangered. We were able to forge a successful working relationship despite his prior history of non-engagement with legal professionals.

##### **R v X 2022-2023**

Led junior in a gang-related joint enterprise murder case, in which the young defendant was ultimately convicted of manslaughter.

##### **R v O 2022**

The defendant was acquitted of being the alleged ringleader of a Nigeria-based romance fraud.

##### **R v B 2022**

The defendant was acquitted of possession of firearms in the context of alleged rivalry between members of two separate motorcycle clubs.

**R v P 2020**

The defendant in this case received a total of 6 years and 6 months imprisonment for three knife-point robberies and a s18 wounding across two separate cases. The Learned Judge commended the *'particular care and professional concern'* with which I had prepared and presented the unusually complex mitigation on P's behalf.

**R v S 2018**

The defendant had committed an aggravated burglary which included chasing several victims whilst armed. He was initially assessed as being mentally well. After sympathetic conferences and a detailed advice, S was ultimately diagnosed with bipolar disorder. He had been suffering from a manic episode at the time of the offence. The mitigatory effect of this afforded him a significant reduction in his sentence as well as treatment for a condition that had lain undiagnosed for many years.

**R v B 2016**

The defendant was acquitted of arson with intent to endanger life having successfully argued that she had been 'framed' by her co-defendant who was a stranger to her.

<b>Serious Sexual Offences</b>
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**R v W 2022**

Sexual assault of a pre-school-aged child in the context of a childcare setting. Extremely sensitive cross examination of the child was required.

**R v T 2021**

Historic sexual abuse allegation in which the defendant could not explain why a false complaint had been made some years after he had left the family unit. The defendant was acquitted on all counts.

**R v X 2021**

Grave crime matter concerning serious sexual offences against two very young children. The young defendant was acquitted of rape and received a non-custodial sentence for one offence of sexual assault.

**R v X 2019**

This unusual case concerned rape in the context of adult familial sexual activity. The jury were unable to reach a verdict on the issue of consent.

**R v T-M 2017**

The defendant was acquitted of the 'date rape' of a woman with complex mental health issues.

**R v F 2017**

The vulnerable defendant in this case was acquitted of committing a serious sexual offence against a woman who had self-harmed immediately before his arrival at her home.

**R v MR 2017**

The defendant in this case was acquitted of sexual offences against two of his children who were aged 8 and 11 at the time of the trial. This case was particularly challenging because of the Defendant's fluctuating mental health and associated paranoia.

**R v U 2015**

The defendant was acquitted of the rape of a teenager at a 'crack house'. The defendant's name had been found in graffiti at the address and he had been identified by the complainant but successfully argued that he had been maliciously implicated by a former friend, not party to the proceedings, who was allegedly concerned in Child Sexual Exploitation.

**R v O 2012**

The defendant was acquitted despite being named by the complainant as the alleged ringleader of a sustained 'gang rape'. The lengthy indictment included multiple counts of rape, sexual assault and s20 offences. This case required the deployment of large amounts of unused material served on the first day of trial and which related to the complainant's activities in the weeks after making the allegation. The defendant successfully argued consent, but his co-defendant received 14 years imprisonment.

<b>Vulnerable Defendants and Witnesses</b>
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**R v N 2022**

An autistic young adult was charged with two counts of assaulting an emergency worker as a consequence of his reaction to being touched on the arm by a police officer. The entire incident was recorded on body worn video. I dovetailed my detailed knowledge of autism with the College of Policing guidance in presenting the defence case. The defendant was acquitted of both counts.

**R v Z 2022**

The defendant was of retirement age and faced one count of assaulting an emergency worker and two counts of racially aggravated harassment, alarm or distress. Z had first offended in 2020 but quickly accrued 10 further convictions for like offences. During this time there had also been a number of admissions to a psychiatric ward and two competing diagnoses. Upon meeting Z, I believed them to be autistic. Assessment by a forensic psychologist confirmed that this was the case. Z was also diagnosed with ADHD, PTSD and schizoaffective disorder. On the first day of trial the prosecution reviewed the case in light of these diagnoses and ultimately offered no evidence on all counts.

**R v B 2021**

The defendant was accused of child neglect and had a lengthy history of mental health diagnoses. I suspected that she was, in fact, autistic and this was confirmed following rigorous expert assessment. The defendant was acquitted on all counts.

**R v Y 2020**

Appointment under s38 of the YJCEA 1999 for the cross examination of current and retired members of the judiciary.

**R v K 2018**

Appointment under s4A of the Criminal Procedure (Insanity) Act 1964 to represent a defendant who was mute as a symptom of paranoid schizophrenia. The defendant was ultimately found 'not to have done the act'.

**R v R 2017**

The defendant was acquitted of possession of a firearm with intent. He was a resident at supported accommodation for adults with learning disabilities, as was the complainant. As such, the case required clear and thoughtful communication both in conference with the defendant and in cross-examination of the complainant.

## Contact Details

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Available to meet solicitors and clients at any convenient location.