

Curriculum Vitae

John M Burton KC

(1979) KC 2010

University of London, Queen Mary College, 1975-1978 LLB (Hons)

Inns of Court School of Law, 1978-1979, Barrister

Called 1979 (Inner Temple)

Pupil Supervisor 1985

Head of Chambers, Mitre Court Chambers, Temple London, 1992-2001

Times 'Lawyer of the Week' 2008

QC 2010

Joined the Public Defender Service Advocacy unit, July 2014.

Conducted Vulnerable witness training on 17th February 2018

Expertise

Fraud, Money-laundering, Murder and other serious offences of violence, serious drug cases, Terrorism, Serious Sexual Offences.

Called to the Bar in 1979 and commenced practice in September of that year. Practised mainly in Criminal Law, exclusively as a Defence Barrister over the last twelve years and was appointed Queen's Counsel in 2010. In 2008, he appeared in the Times Newspaper as "Lawyer of the Week" for his conduct of the successful appeal in the Court of Appeal case of Samina Malik, AKA "The Lyrical Terrorist", who was reported to be the first female to be convicted under the provisions of the Terrorism Act 2000 and therefore the first to have her conviction quashed on appeal.

Conducted a large number of cases as Queen's Counsel including cases involving allegations of Murder, Fraud, Serious Sexual Offences, Drugs importation and supply, Blackmail, Firearms, Terrorism and Terrorism-related cases, including two appeals in a Control Order case and an appeal in a TPIM case, all in the High Court. Also has conducted a significant amount of Appellate work in the Court of Appeal as Queen's Counsel and currently has cases outstanding in the Court of Appeal.

Considerable experience in Regulatory and Disciplinary law, and in addition to conducting advisory work in this field, has conducted cases in the Administration Court, before the General Medical Council, the Professional Conduct Committee of the General Chiropractic Council, the Law Society, and the Statutory Committee of the Royal Pharmaceutical Society.

Conducted a large number of civil cases throughout his career, including Prison Law cases and Actions against the Police. This has included advisory work and High Court and County Court Trials both in front of a Single Judge and with a civil jury.

Lectured to Solicitors and Barristers on Human Rights Law, the Criminal Justice Act 2003, the Terrorism Acts 2000 and 2006, the Supreme Court case of Jogee, disclosure and many other areas. Also sat as a Panel Member at an all-day conference on Terrorism and Free Speech, held by 'Index on Censorship' and has had an article on the Terrorism Act 2006 published in their journal. In November 2008, addressed the Parliamentary Joint Committee on Human Rights dealing with the Terrorism Act 2006.

Has lectured to Chiropractors at their annual conference and elsewhere, dealing with aspects of Chiropractic Regulatory and Disciplinary law and practice.

Notable Cases

Set out below is a selection of cases John has **conducted as Queen's Counsel**, it should not be regarded as exhaustive.

MURDER AND OTHER OFFENCES OF SERIOUS VIOLENCE

R v O B, 2022 and 2023. The defendant was charged with 7 others with the offence of conspiracy to murder. One other person was charged with perverting the course of justice. The prosecution's case was that two gangs of youths arranged to meet in Gloucester for a fight. The two groups did meet but the defendant's group were carrying a number of weapons including machetes, cleavers and knives. As a result of the confrontation one youth from the opposing group died having been stabbed several times in the back. Most of the case involved a large amount of CCTV which covered up to and after the incident that caused the victim's death but only had grainy images of the time of death where individuals could not be made out. The trial lasted 7 weeks in 2002 and was about to reach speeches when the trial judge was taken ill and the case had to be aborted. The retrial was heard in 2023 and lasted another seven weeks. There was now further evidence against OB including evidence of bad character relating to an incident in custody where it was alleged that OB used a weapon to injure another inmate. OB's phone had also been interrogated and drill lyrics were found on the phone referring to the victim's death and saying that OB had 'stabbed with a passion.' OB was acquitted of murder but convicted of manslaughter.

R v MM, [2021] the defendant was charged with one count of murder and alternatively with one count of manslaughter. The prosecution alleged that MM had a dispute with his neighbour RB over loud noises emanating from each household. In March 2021, MM returned home to find his wife and child upset because RB had been complaining about noise that the child was making in the garden. According to the prosecution, MM armed himself with a knife, climbed over the neighbour's 6-foot fence, punched RB's wife in the face and stabbed RB in the chest, killing him. The prosecution called an expert who stated that RB's T shirt had two recent knife cuts, suggesting one failed stabbed attempt and one fatal stab wound. MM accepted that he had climbed over the fence armed with a kitchen knife but that he had only intended to threaten and not to use the knife. He accepted that he had hit RB's wife, though he claimed this was after she had hit him and he claimed that RB had then launched an attack on him and that the knife had accidentally fatally injured RB as they both fell to the ground. The defence called their own expert who

stated that the two knife cuts in the T-shirt could have been caused by one knife thrust through the T shirt when it had become folded in the struggle. MM was acquitted of both murder and manslaughter.

R v REBELO, [2020] the defendant was charged with gross negligence manslaughter. The prosecution alleged that he supplied a substance called DNP as a slimming product. A young girl took a large amount of the product and died as a result. During his trial Mr Rebelo sacked his legal team and John and another member of the PDS took over the case just before the prosecution case adjourned after three weeks of evidence had been given. They were given little time to read into the case and prepare and were told to 'soldier on' as the Court of Appeal ruled in the case of *Ulcaly*. Nevertheless, John prepared legal arguments on the proposed direction and made a lengthy speech. The defendant was convicted but leave to appeal his conviction was granted. (See below.)

R v DM [2019] the defendant was charged with five others with murder. The prosecution alleged that the murder was drug related. They claimed that the defendant was a drug dealer and in September 2018 the deceased and another attacked him when he was at a friend's home. He was badly beaten and drugs were stolen. Three of the defendant's co-defendants attended the address and according to the prosecution they all arranged a revenge attack. In the early hours of the following morning the defendant and the other defendants attended the deceased's flat and gained entry and then attacked him in his bedroom in front of his girlfriend. He was stabbed four times, any one of three of those wounds would have proved fatal. He died a short time later. The defendant was arrested two weeks later and at first claimed he had an alibi, he was in a hotel with his girlfriend. The girlfriend did not support his alibi and CCTV and phone evidence demonstrated that he was at the scene of the killing. The defendant then claimed he had attended the scene but not been aware of what was going on and had not entered the flat and had not stabbed the deceased. On the first day of the trial the defendant changed his defence again, stating now that he had entered the deceased's flat and stabbed him but had acted in self-defence.

R v AP [2015] the Defendant was charged with two offences of child cruelty, one offence of causing or allowing the death of a child and one offence of causing or allowing serious injury to a child. The Defendant was the mother of a young mother who had three very young children. All were living under the same roof. The prosecution's case was that both mother and grandmother had the care of a young 7-month-old baby who had suffered serious physical injury without either of them seeking medical assistance and then been allowed to die through starvation without either of them adequately feeding the baby or seeking medical assistance. The trial last over three weeks and involved the cross examination of three expert witnesses for the prosecution, namely two pathologists and a professor in neonatology.

R v SC [2015] the Defendant was charged with attempted murder. He had spent the day at his cousin's girlfriend's address and according to her and a friend of hers he had spoken to the victim on the phone and arranged to meet him later at the defendant's home. Before leaving the witness' address he allegedly said he was going to stab the victim. He arrived home and stabbed the victim in the abdomen with a sharp occult knife he possessed. He claimed he acted in self-defence. After a trial he was acquitted of attempted murder but convicted of wounding with intent.

R v AH [2015] the Defendant and the victim were alcoholics. They met with others one afternoon and drank to excess. The Defendant was then alleged to have become angry and attacked the victim, punching him to the head and then allegedly stamping on his head. The victim died from a subdural haematoma. The others present all gave evidence against the defendant. She was acquitted of murder but convicted as manslaughter.

R v SJ [2015] the Defendant was charged with murder. It was alleged that the victim had attended a party where the Defendant was and assaulted a girl. The prosecution alleged that the defendant pretended to calm the situation down and led the victim away and then when the victim was calmed down, plunged a knife deep into the back of his leg. The victim bled to death. Several of the partygoers then gave evidence against the defendant at trial.

R v WY [2014] represented a Defendant charged with murdering an acquaintance by stabbing him through the heart. The Prosecution alleged that he had tormented the victim over a period of time before attending his address late at night with others. The victim refused access but later left his address and it was alleged that the Defendant then attacked him and stabbed him through the heart. The case involved a cut-throat defence as a co-defendant blamed the Defendant for the attack. An independent witness, originally arrested on suspicion of murder, also gave evidence against him, as did a prisoner, who claimed the Defendant had confessed to the killing when they discussed the case in his cell.

R v MF [2013] successfully represented a Defendant charged with murder and manslaughter by alleged asphyxiation. The prosecution alleged that there was a drunken fight between two alcoholics resulting in the Defendant putting considerable pressure on the victim's neck or back which caused asphyxiation. No injuries could be seen to the neck or the back but the Prosecution alleged that there were signs of petechial haemorrhages in the eyelids which supported an allegation of asphyxiation. Research suggested that there was some evidence that these signs could be caused by lengthy CPR, which had in fact been conducted in this case. Following John's cross-examination of the Crown Pathologist, the Learned Judge agreed to a submission of no case to answer and the Defendant was acquitted.

R v DP [2013] representing the Defendant who was charged with causing grievous bodily harm with intent and child cruelty to his girlfriend's 13-month-old baby. The child suffered serious injuries including a fractured skull and serious injuries to his genitals and other injuries over a six-month period in 2011. The Defendant maintained that he had not caused the injuries and they must have been caused by the mother, who had been charged with permitting him to cause the child cruelty and was tried at the same time. The case accordingly involved a cut-throat defence.

R v SK [2013] the Defendant was charged with the murder of his mistress who was found dead in her home by her children when they returned from school. The Defendant had been seriously injured in a

road traffic accident and was using crutches at the time of the incident. An eyewitness saw a man with crutches entering the back gate of the property at around the time she was killed. The case involved a large number of difficult areas of expert and medical evidence.

R v Carlo Dawes [2012] the Defendant arrived home in the early hours of the morning and discovered his wife asleep on the sofa with a sleeping man. The Defendant threw a vodka bottle at the victim, waking and stunning him at the same time and then got a knife which he plunged deep into the victim, killing him. He claimed that he acted in self-defence but there was also a question of 'loss of control' in the case. (John took the case on appeal to the Court of Appeal and this is now one of the leading authorities on 'loss of control defences'.)

R v JU [2011] representing a Defendant who was charged with wounding with intent. It was alleged that he hit his partner repeatedly over the head with a weapon causing a serious head wound. The prosecution called, as witnesses, the complainant and 5 experts and relied on an alleged confession to a bail hostel supervisor by the Defendant. After cross-examination of all the witnesses, a submission of no case was made and the Defendant was acquitted.

R v JM [2011] representing a Defendant in a murder trial in the Central Criminal Court where it was alleged that the Defendant (who had a previous conviction for manslaughter) had stabbed the victim 8 times in the neck. The whole incident was caught on CCTV. The sole issue was whether there had been intent to kill or cause really serious harm, as the Defendant accepted he had caused the victim's death, but stated he was too drunk to remember what his state of mind was.

R v CL [2011] representing a Defendant in a murder trial at the Central Criminal Court where the Defendant was alleged to have killed a friend in his flat after smoking crack cocaine. The Defendant reported the murder claiming he had been present but others were responsible. The Prosecution relied heavily upon expert forensic evidence indicating that only one set of blood-stained prints were found in the flat, stating these must have been the Defendant's. The case involved the detailed cross examination of three expert witnesses in different disciplines.

R v TJ [2011] representing a Defendant in a murder trial in the Central Criminal Court where it was alleged the Defendant had lured the victim to a quiet area where he was attacked by the Defendant and an accomplice who was wielding an iron bar. The Defendant was acquitted of both murder and manslaughter after a two-week trial.

R v MM [2011] representing a solicitor arrested on a charge of GBH arising out of an alleged road rage incident in which the victim was assaulted with a wheel brace. The solicitor was acquitted and awarded his Costs out of Central Funds.

R v RM [2010] representing a Defendant charged with murder. The Prosecution alleged that the Defendant had given large sums of money to a “faith healer” and then wanted the money back. He had ignored her calls and the Prosecution alleged that she had assisted in luring him to her address where he was tortured and killed. She accepted that she had asked her friend to contact the victim and had asked her to get the victim to come to her address but had been unaware that anyone intended to harm the victim even though she was in the house when he was killed. After a three-week trial, the Defendant was acquitted of murder and convicted of the lesser offences of manslaughter and conspiracy to falsely imprison.

MAJOR FRAUD

R v UDDIN [2018] instructed as Queen’s Counsel leading a junior in an eight-month VHCC case alleging an Immigration and Inland Revenue fraud against seven defendants. The case involved over 250,000 pages of evidence and involved allegation covering over five years. The client was a non-practising barrister who worked as an advisor for one of several linked immigration companies. The prosecution alleged that the defendants created many companies that then ‘employed’ immigration applicants on large salaries, deducting 40% tax from them each month. The large salaries ‘paid’ to them were then used to support their applications as tier one applicants. These are applicants who must acquire a number of points based upon the size of their income. At the end of the tax year the applicants, or someone purporting to be them, then reclaimed the tax back from the Inland Revenue. The fraud was that the companies only existed on paper and never employed anyone. False accounts had been created to make money loops whereby the same money was used repeatedly to appear as monthly income. No money was ever hand over to the Inland revenue and the claims for repayment were fraudulent. The defendant’s role was said to be assisting the applicants with the fraud. John drafted grounds of appeal against conviction to the Court of Appeal. (See below).

R v AS [2017] instructed as Queen’s Counsel leading a junior in a three-week trial of a company fraud where it was alleged that the defendant was the main instigator of a fraud against a large international company. The prosecution case was that he had used his position to discover the weaknesses in the company’s computer software and exploited this by creating a number of false companies which he then placed on the computer system and then ‘authorised’ them to provide goods and services to the main company. In fact, the goods and services did not exist and over a five-year period he was alleged to have obtained a minimum of £690,000 and a maximum of £1.6 million from the company.

R v FK [2016] representing a defendant in a multi-handed major international banking fraud that the prosecution claimed had secured well in excess of £150 million for the fraudsters. K’s role was said to be that of a trainer of persons who were used to contact and defraud the victims and also as a money launderer involved in dissipating the large sums of money gained in the fraud. John considered the large number of papers in the case and decided that an application to dismiss should be made as certain crucial

evidence had not been obtained by the prosecution. At the first hearing of the application the prosecution was granted an adjournment in order to obtain the evidence they needed. Further evidence was served but John advised that the application to dismiss should nevertheless continue. At the renewed hearing the prosecution finally conceded the point and all the charges were dismissed and the defendant released from custody.

R v YB [2013-14] representing the First Defendant in a ten-week trial, involving allegations of conspiracy to facilitate the breach of Immigration Law. The Defendant was the Managing Director of a multi-million-pound Security Company. The Prosecution claimed that he, his two wives, his nephew and a large number of employees, conspired together with a corrupt Home Office Official, to obtain and use 'Convention Travel Documents' (UK Passports issued to Asylum Seekers) to breach immigration rules so that they could be employed in important positions in his company. The case resulted in a hung jury on the main charge.

R v RC [2013] representing a Defendant charged with an 'eBay' fraud alleged to be the biggest known to date, involving the sale of millions of pounds of counterfeit goods.

R v AM [2012] representing a Defendant who was charged with a multi-million-pound mortgage fraud involving the purchase of a large number of business premises. The Defendant was acquitted of all charges and awarded costs out of Central Funds.

R v AM [2012] representing a Defendant who was charged with conspiracy to commit arson of his own business premises. It was alleged that he was one of a number of businessmen who would 'resolve' business problems by arranging with the others to burn their business properties down to claim insurance money. The Defendant had doubled the insurance value of the property just two weeks before the arson was attempted. The case involved serious disclosure issues and after two weeks of disclosure applications made during the trial, the Prosecution eventually offered no evidence and the Defendant was acquitted and awarded his costs out of Central Funds.

R v TR [2011] appearing in a 5-month trial in Kingston Crown Court on behalf of one of the main Defendants in an MTIC fraud where the Crown alleged £175 million of Revenue had been put at risk by the fraud and in excess of £120 million had actually been lost to the Revenue.

R v SK [2010] representing one of the main Defendants in a six-week trial alleging large-scale housing benefit fraud involving a multitude of properties, claims and claimants. On a submission of no case, persuaded the Court that only one count on the indictment should be left to the jury instead of the six that the Defendant was charged with.

SERIOUS SEXUAL OFFENCES

R v G [2020] a case involving rape and sexual assault on a sex worker over a period of two days. John had represented the defendant in the past when he was acquitted of rape. The prosecution threatened to rely upon the previous acquittal in these proceedings and John was instructed to represent Mr G at trial.

R v EMERTON [2018] a case involving allegations of conspiracy to rape two children under the age of 13. The defendant had already been given a life sentence with a minimum sentence of twenty years for earlier offences of raping children. John persuaded the trial judge to pass concurrent sentences for the current offences so that no longer sentence would be served.

R v EMERTON [2017] the Defendant was charged with twenty counts of rape and other sexual offences against three children under the age of 13, one of whom was a 5-month-old baby.

R v SL [2014] the Defendant was charged with 19 counts of sexual offences against his stepdaughter, alleging rape and other sexual offences allegedly committed when she was aged 13 to 17. At an earlier trial he was acquitted of 7 of the counts but the jury were hung in relation to the remaining 12 counts including allegations of rape. At the retrial John argued that the 7 acquittals were important evidence affecting the complainant's credibility. After a legal argument taking place over 5 days the learned Judge agreed and made a direction to that effect. After a further 5 days the jury acquitted the defendant on all the remaining counts.

R v SL [2012] the Defendant was charged with raping four separate girls after using a 'date rape' drug. He had filmed some of the instances which the girls stated they did not recall but were discovered when he showed one video to a friend. The Defendant accepted, as he had to, that the filmed incidents occurred, but he claimed the sexual acts were consensual. The other acts he denied. The case took four weeks to conduct and involved numerous difficulties and technical arguments. The Defendant was convicted in relation to the allegations that were filmed but acquitted of the others.

SERIOUS DRUG OFFENCES

R v HN [2023] Conducted a major drugs trial in November 2023 involving allegations of conspiracy to import and conspiracy to supply 778 kilos of cocaine, to purchase or possess three firearms with silencers (described as an 'assassin's weapon') and refusing to give a code to open a SKY encrypted phone. The main evidence in the case came from downloads from encrochat, encrypted phones said to belong to the defendant. These had been 'hacked' by the French authorities and the material sent to the Serious Crime Agency in Britain. The case involved many arguments re admissibility, the relevance of expert evidence, jurisdictional points relating to where the firearms were to be purchased and the question of whether the CPS had obtained the AG's permission to prosecute a firearms' charge allegedly committed abroad. Although convicted on the drugs charges, the defendant was acquitted on the firearms charge and failing to provide the code to the Sky phone. The case is currently the subject of an appeal to the Court of Appeal in relation to both conviction and sentence.

R v AA [2021] the Defendant was charged with 12 others with offences of conspiracy to supply cocaine and money laundering. The prosecution alleged that this was a large conspiracy involving supply to much of the east coast of England and that AA and his brother were the ring leaders, involving supply of up to 30 kilos of cocaine over a period of six months. The conspiracy involved the use of encrypted 'encrochat' phones as well as 'tumbler' phones, phones that changed the phones' identity IMEI code on each call. The

police set up mobile surveillance of a large number of defendants and over 54,000 pages of evidence was served. Due to covid restrictions the defendant was only tried with his brother. The brother pleaded guilty on day 1 of the trial and so the defendant was tried alone on a case that lasted 6 weeks. He was convicted and sentenced to 14 years imprisonment, both conviction and sentence are now the subject of an appeal.

TERRORISM

Re CD [2012-13] appearing for the Appellant in a TPIM case in which it was alleged that the Appellant had been planning a “Mumbai-style” attack on London.

Re CD [2011] appearing for the same Appellant as above when he was subject to a Control Order. Appeared in both the Relocation Appeal and the Substantive Control Order appeal.

The substantive appeal is reported as **CD v Secretary of State for the Home Department - [2011] All ER (D) 15 (Aug), Neutral Citation Number: [2011] EWHC 2087 (Admin)**

The relocation Appeal is reported as **CD v Secretary of State for the Home Department - [2011] All ER (D) 203 (May), Neutral Citation Number: [2011] EWHC 1273 (Admin)**

R v Abbas Iqbal [2010] representing the main Defendant in a six-week terrorism case referred to as the “Blackburn resistance” trial alleging that the Defendant and others were preparing for acts of terrorism, disseminating terrorist publications and possessing articles that were likely to be useful to terrorists. John took the matter on appeal to the Court of Appeal and the case is referred to in the 2018 edition of Archbold at 25-186, relating to section 2 of the Terrorism Act 2006 and at 25-192 relating to section 5 of the Terrorism Act 2006. *R. v. Iqbal (Abbas Niazi) and Iqbal (Ilyas Niazi)*, unreported, December 21, 2010, CA ([2010] EWCA Crim. 3215)

SERIOUS MOTORING OFFENCES

R v RR [2022]. The defendant was charged with causing death by careless driving whilst unfit through drugs and alternatively, causing death by careless driving. He was approaching a mini roundabout at 30 mph when the deceased, who was walking a dog, stepped out in front of his car. The defendant did not brake and killed both the dog and the victim. The prosecution claimed that he was not keeping a proper lookout and was ‘phased’ because he was under the influence of cannabis. The defendant’s blood was taken 4 ½ hours after the incident and was over the limit for cannabis but due to analytical uncertainty a lower reading was relied upon that was below the limit. The case came before a jury and John had to cross examine a number of eyewitnesses, a collision expert and an expert on the effect of cannabis. The defendant was acquitted of the causing death by careless driving whilst unfit through drugs but convicted of causing death by careless driving. As he was acquitted of the major charge (carrying up to 14 years in prison) he was given a non-custodial sentence.

APPELLATE WORK

R V AA [2022] John obtained leave to appeal the sentence on the drugs case of AA (see above) and presented a full argument to the court.

R v NG, [2021] Grounds of appeal were settled and the Court granted leave to appeal the extended sentence in an allegation of rape on the basis that the wrong classification of sentencing was made by the trial judge.

R v REBELO [2021] EWCA Crim 306, Grounds of appeal were settled primarily on the basis that the trial judge had misdirected the jury on the law and the issue of the deceased's mental state.

R v UDDIN, [2021] EWCA Crim 14, John advised and settled grounds of appeal after an eight-month trial, on the basis that the trial judge had not summed up the defence adequately. The Court of Appeal agreed that the summing up could have been better structured but held that the conviction was nevertheless safe.

R v LIAM BENNETT [2019] EWCA Crim 629, instructed on an historical appeal. The appellant was 17 at the time of the offence but 18 at the time of his conviction in 2006 and sentence in 2007. He was considered dangerous by the trial judge and sentenced to an IPP with a minimum term of 2 years 84 days. By the date of the appeal, he had served twelve years. It was argued on appeal that the word 'conviction' in the act should be read down by domestic law and European law to mean 'date of commission of the offence' in which case the trial judge should have considered an extended sentence under the legislation that was applicable at the time and that such a sentence would have been appropriate and allowed for his release years ago. The court disagreed.

R v EMERTON [2018] EWCA Crim 606, John was instructed to oppose an Attorney-General's Reference where a discretionary life sentence was passed for multiple counts of rape and sexual offences against children with a twenty-year minimum sentence. The appellant was later charged with conspiracy to rape two children and the judge passed a concurrent sentence. The prosecution appealed on the basis that there should have been a separate further consecutive sentence. John persuaded the court that the trial judge was right to pass a concurrent sentence.

R v AP [2016] appeal to the Court of Appeal against conviction and sentence in a case involving allegations of cruelty to a child and causing or allowing the death of that child.

R v SC [2016] appeal to the Court of Appeal against an extended sentence of 13 years passed when a man was convicted of wounding with intent after a trial.

R v Yilkes Bala [2016] [2016] 2 Cr.App.R. 14, appeal to the Court of Appeal against conviction. Dr Bala had entered a polygamous marriage with his second wife in Nigeria. They were both charged with the offence of conspiracy to breach certain immigration rules. John argued that section 2(2)(a) of the Criminal Law Act 1977 should apply to a polygamous marriage. (Section 2(2)(a) states that person cannot be convicted of an offence of conspiracy committed solely with their spouse.) The Crown Court judge disagreed and Dr Bala was convicted. John drafted the grounds of appeal and represented Dr Bala at the Court of Appeal hearing, arguing, (paragraph 32 of the judgment), "Mr Burton went on to submit, and eloquently so, that those who are married under polygamous marriages are not to be, differentiated from those married under monogamous marriages."

The Court of Appeal agreed that section 2(2)(a) of the Criminal Law Act, "extends to a spouse under a polygamous marriage," but added that the marriage had to be one, "recognised under English law as valid."

The court concluded that Dr Bala was domiciled in the UK at the time of the marriage and under section 11(d) of the Matrimonial Causes Act 1973 his marriage was void and therefore he could not rely upon the section. Accordingly, Dr Bala's appeal was dismissed.

The Court certified a question of public importance but refused leave as did the Supreme Court.

R v WY [2014] appeal to the Court of Appeal against sentence in a murder case where the appellant had been given a life sentence with a minimum of 28 years. The Court of Appeal reduced the minimum term to 25 years.

R v CARLO DAWES [2013] appeal to the Court of Appeal on whether the defence of 'loss of control' should have been left to the jury. **Reported as R v Dawes; R v Hatter; R v Bowyer [2013] 2 Cr App R 3.**

R v SL [2012] appeared on behalf of the Appellant in the Court of Appeal in a renewed application for leave to the Court of Appeal concerning issues surrounding allegations of multiple rapes and the admissibility of evidence.

R v RM [2011] appeared on behalf of the Appellant in the Court of Appeal in the successful appeal of RM where her sentence of 10 years for manslaughter was reduced by the Court of Appeal to 8 years.

R v AI [2010] appeared on behalf of the Appellant in the Court of Appeal in a renewed application for leave to the Court of Appeal concerning issues arising under the interpretation of sections 2 and 5 of the Terrorism Act 2006.

R v RJ [2010] appeared on behalf of the Appellant in the Court of Appeal in a renewed application for leave to appeal in a case involving historical sex offences and cross admissibility.

To Note/Other

TAX TRIBUNAL

H v HMRC, 2020, John led another member of the PDS in a case involving an appeal in a Tax Tribunal relating to the imposition of a £13 million tax penalty in what was essentially an allegation of MTIC fraud. John continued to work on the case until late 2022.

CONFISCATION

R v S 2020, John led another member of the PDS in a confiscation case involving a benefit claim of £73 million where the alleged assets were alleged to be around £10 million. The case was listed for two weeks but was settled just before the hearing.

VHCC

Defended in numerous VHCC cases involving Fraud, Terrorism and POCA hearings. **Currently instructed in one large scale POCA hearing involving properties in the UK and abroad.**

Complexity and Scale of Evidence

Accustomed to long and complex trials. Conducted many cases that have exceeded three months. The longest to date are two cases both lasted eight months. Dealt with cases involving vast quantities of papers, digital material, and complex computer evidence. Very experienced at, and interested in, scientific and medical issues, and in cross-examining experts in these fields.

Information Technology

Fully computer conversant and prepares all cases with the assistance of computers utilising the latest software. Uses Word, Excel spreadsheets, Power point, OneNote and PDF conversion software in the preparation and presentation of cases. Fully conversant in the forensic manipulation of data from telephone logs, and similar computer material, in order to present cases in a professional and appropriate way.

Contact Details

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