



# Stella Harris

YEAR OF CALL: 2002



Stella has significant experience representing those accused of murder and serious violence and those with alleged connections to violent gang activity, where the admission of bad character, association evidence and unhelpful stereotypes has been successfully challenged: Stella represented the youngest child to ever be charged with firearms offences; has recently successfully challenging findings of dangerousness based upon fresh evidence obtained through the National Referral Mechanism and was a recent speaker in our series on challenging the admission of Drill Music in criminal trials.

Stella's extensive experience and inclusive approach ensure she gains the confidence of those she represents and secures their full participation in the proceedings they face.

Stella assisted The Howard League for Penal Reform in making submissions both orally and in writing to the Director of Public Prosecutions regarding the reform of the Crown Prosecution Service (CPS) Guidelines on charging in joint enterprise cases, which adversely and unfairly impacted young people. Their suggestions were incorporated in the final guidance, Submissions on Charging in Cases of Joint Enterprise.

Stella has an established practice representing women charged with murder and serious violent offending. Stella's clients have often experienced trauma and neglect and have

undiagnosed or poorly understood mental health and psychological conditions and many have been exploited or coerced. Stella was a recent speaker in our seminar series on developments in the law surrounding coercive controlling behaviour.

Stella also has experience defending those with mental illness or where fitness to plead or capacity is an issue. Her cases in this area often include expert psychiatric and psychological evidence and she was in the leading appellate case involving the interface between life sentences, sentences for public protection and hospital orders. Stella was recently a speaker at the Criminal Appeal Lawyers Association Conference on sentencing those with mental illness.

Stella's extensive experience and inclusive approach ensure she gains the confidence of those she represents and secures their full participation in the proceedings they face. She is an astute trial advocate, able to communicate with the jury and judiciary alike.

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## CRIMINAL DEFENCE

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### Murder and Serious Violence

#### ***R v. IH (2024) Central Criminal Court (Ongoing)***

Led Junior, allegation of murder and robbery, multi-handed, very young accused with Autism.

***R v. AA (2024) Central Criminal Court (Ongoing)***

Led Junior, allegation of murder, cold-case, considerable challenge to forensic evidence and original forensic strategy and evidence gathering at the time of the investigation.

***R v. RA (2023) Inner London Crown Court***

Attempted murder, young accused, multi-handed, allegation relating to retaliation to a planned attack with knives, self-defence and character issues (gangs).

***R v. AL (2023) Woolwich Crown Court Ongoing***

Attempted murder, sustained attack with knives, issues of fitness to plead, participation at trial and impact of Autism upon perception of risk and self-defence.

***R v. LRC (2023) Liverpool Crown Court Ongoing***

Led Junior, allegation of murder, vulnerable accused, history of trauma and mental illness, expert psychiatric evidence and toxicological issues, partial defences of loss of control and diminished responsibility.

***R v. PH & Others (2023) Central Criminal Court Ongoing***

Led Junior, allegation of murder related to a robbery with knives at a drugs strong house.

***R v. MC & Others (2023) Woolwich Crown Court***

Led Junior, allegation of murder, said to be a revenge killing following a ride out and attempted murder, extensive CCTV and challenge to the Crown's interpretation of the pathological evidence, reframing the timing of the infliction of the fatal wounds, when MC was not at the scene. The Crown relied upon Drill lyrics to suggest a confession to the killing, which were excluded as unreliable.

***R v. ILM (2022) Nottingham Crown Court***

Led Junior, allegation of murder, said to be pre-planned killing with an organised meeting outside a nightclub in the context of drug-trafficking.

***R v. DL (2022) Bristol Crown Court***

Led Junior, murder of a former police officer, who was on life licence for manslaughter at the time of his death, for the killing of his wife. DL was a vulnerable woman with a history of trauma. ADHD, self-defence, extensive bad character application relating to the deceased, partial defences, contested psychiatric evidence and expert psychological evidence relating to trauma and memory.

***R v. KM & Others (2022) Worcester Crown Court***

Attempted murder, said to be planned revenge attack with machetes causing a life-threatening brain injury,

cut-throat defence, bad character of prosecution witnesses and co-defendant, cell-site evidence, disposal of telephones and vehicles following the incident.

***R v. AB & Others (2022) Harrow Crown Court***

Leading Junior, allegation of kidnap and false imprisonment, said to be gang-related, accused highly vulnerable, ADHD and CPTSD; this case involved considerable third-party and PII disclosure issues relating to threats to life warnings.

***R v. RM & Others (2022) Central Criminal Court***

Joint enterprise murder, killing said to be associated with the supply of drugs and issues of causation, given deceased died sometime later from his injuries.

***R v. RJ & Others (2021) Kingston Crown Court***

Joint enterprise murder of 15-year-old deceased, said by Crown to be gang-related (G-checked), Drill music and gang-related bad character evidence excluded.

***R v. MK & Others (2021) Isleworth Crown Court***

Allegation of false imprisonment and kidnap, said to be drugs related. MK had been a prominent television figure and bodybuilder and had latterly become dependent upon drugs and suffered with mental illness.

***R v. HH (2020) Maidstone Crown Court***

Murder said to be associated with the supply of drugs. During a violent struggle, HH received stab wounds to the face and the deceased, substantial and varied sharp wound and crushing trauma injuries to the structures of the neck and consequent brain injury. The pathological evidence to determine cause of death and time to death were the most complicated the Crown's pathologist had ever seen and involved expertise from the country's leading experts in fractures and neuropathology.

***R v. RWR and Others (2019) Central Criminal Court***

RWR was said to have called on a planned attack upon a 15-year old boy, named Tashaun Aird "Dotz" and his friend, who received stab wounds but survived. His co-accused were young teenagers and the violence involved swords and large knives.

"Dotz" was a music producer and produced the beats for Drill music. It was speculated that he was killed in retaliation for his lyrics in a "diss track". It was apparent from a careful examination of the CCTV that RWR was not armed with a knife. ASD and issues relating to participation in proceedings and perception of events at the scene of the killing.

***R v. RH and Others (2019) Central Criminal Court***

Murder, joint enterprise killing with knife or knives, said to be part of an ongoing dispute relating to gangs in South London; issues relating to expert cell-site evidence and association and bad character issues.

***PS and Others (2017) Kingston Crown Court***

False imprisonment and wounding of a mentally ill and vulnerable male held in a flat for several days and subjected to violence and death threats. This case was reported in the national press. Accused was a young woman who was heavily pregnant at the time of trial. This case was part of the pilot scheme to cross-examine vulnerable witnesses, in this instance with the assistance of an intermediary, in advance of trial.

***R v. VMDC (2015) Central Criminal Court***

Medical Doctor accused of wounding her then-husband (multiple genital lacerations) following an argument caused by his heavy drinking, and cross-allegations of violence in the context of their relationship. This case was reported in the national press.

***R v. JH (2014) Central Criminal Court***

Led Junior, Murder, accused alleged to have been a secondary party to a killing when those involved travelled in convoy to the scene with weapons. This case required careful analysis of expert telephone evidence and critical analysis as to the level of assistance and encouragement by this young boy and his likely foresight of serious harm.

***R v SC & Others (2013) Central Criminal Court***

Leading Junior, SC was a young mother of good character charged with possession with intent to endanger life of two firearms (a sawn-off shotgun and semi-automatic handgun) and ammunition compatible with both.

The prosecution case was that she was minding the guns for others to hand them over for use in a murder and that before and after the killing she was in full knowledge of their intended purpose. Her case was tried with seven others, charged variously with murder, perverting the course of justice and firearms offences.

The evidence against SC involved analysis of telephone data and cell-site evidence, CCTV, DNA, gunshot residue (GSR), evidence of association and consequent admissibility applications.

***R v JWM & Others (2012) Central Criminal Court***

Led Junior, JWM was seventeen and accused with two others of the murder of another young man who attended the same school in East Ham. The prosecution argued that the killing, which was likely caused by upwards of ten young males, was a seemingly random attack in the context of ongoing gang rivalry. The case

involved covert surveillance evidence and extensive bad character issues.

### ***R v MJ (2012) Leeds Crown Court***

Led Junior, MJ was accused of the killing of his best friend following a night of drinking and drug misuse. The pathological evidence in respect of these unusual wounds was the subject of challenge.

This case involved an extensive abuse of process application on the basis that the police had sought to put improper pressure upon another male (the sole eyewitness) to implicate MJ in the killing, and had gone on to lie and otherwise seek to disguise their conduct.

### ***R v DB (2011) Guildford Crown Court***

Grievous bodily harm with intent in the context of multiple injuries associated with 'shaken-baby syndrome' and requiring a challenge to complex expert medical testimony, an emotionally vulnerable accused, extensive third-party material and parallel care proceedings.

### ***R v LB & Another (2011) Southwark Crown Court***

Grievous bodily harm with intent, sustained fight in a 'crack-house', expert testimony regarding blood-staining and other forensic findings at the scene. Accused with poor mental health and continued difficulties with substance misuse.

### ***R v SF & Another (2010) Winchester Crown Court***

Led Junior - Murder of a vulnerable elderly man in supported housing. He was befriended and exploited by the accused and her boyfriend; each accused the other of instigating the violence. The accused had had a very troubled life, she was homeless and was working as a prostitute addicted to Class A drugs at the time of the offence.

His body had been concealed and was in a state of decomposition when its location was revealed. This case required the consideration of expert pathology and forensic evidence from a number of scenes of investigation as well as bad character material.

### ***R v CM (2009) Manchester Crown Court***

CM was the youngest female ever to be charged with possession of a firearm, she was 13 at the time of the offence, the judge here took the exceptional decision to lift reporting restrictions and there was extensive national media interest in the wake of an Operation Trident campaign to discourage young women from holding firearms on behalf of others.

### ***R v AG & Others (2009) Kingston Crown Court***

Accused with diagnosed mental illness and concerns surrounding participation in proceedings charged with a conspiracy to rob and commit grievous bodily harm with intent; this case involved an allegation of gratuitous violence with blunt objects and serious brain injuries inflicted on behalf of the main adult defendant who faced a separate count of attempted murder. This case was allegedly gang-related with the attacks being said to be part of the initiation. Given the extreme nature of the violence, this case received national media interest.

### **General Crime**

#### ***R v. KM & Others (2022) Worcester Crown Court Ongoing***

Conspiracy to supply kilo quantities of Class A drugs with others in Birmingham and Worcester, considerable telephone evidence (encrypted and otherwise), said to be against the background of significant violence and related to attempted murder case above.

#### ***R v. TBK & Others (2021) Croydon Crown Court***

Acting for D1, allegation of large-scale supply of Class A drugs and firearms stored at a safe house, ready to be supplied via county lines networks, considerable telephone cell-site and association evidence, cut-throat defence.

#### ***R v. IM (2022) Kingston Crown Court***

Accused alleged of conveying firearm into prison.

#### ***R v. LN & Others (2021) Bournemouth Crown Court***

Conspiracy to supply kilo quantities of Class A drugs linked to an Albanian Organised Crime Group between London and Dorset, considerable surveillance, telephone (encrypted) and disclosure issues.

#### ***R v. REC and Another (2020) Kingston Crown Court***

Possession of firearm and ammunition with intent to endanger life in context of ongoing series of murders and other violence

#### ***R v. BB and Others (2018) Woolwich Crown Court***

Allegations of pre-planned aggravated burglaries of brothels with swords and handgun.

#### ***R v. ML (2017) Guildford Crown Court***

Causing explosion with intent, mentally unwell accused recruited by more sophisticated gang members to cause an explosion on a garage forecourt with considerable risk to life in order to open the cash machine.

### ***R v. MK (2017) Kingston Crown Court***

Allegation of arson with intent to endanger life, MK had set a fire in a residential block of flats to exorcise demons, whilst acutely mentally unwell.

### ***R v. NJ (2016) Southampton Crown Court***

Accused of good character and then a trainee solicitor, who became involved via her then-partner in a multi-handed conspiracy to supply drugs in Southampton by an Organised Crime Group based in Manchester, extensive expert telephone and financial material evidence

### ***R v EJ (2013) Woolwich Crown Court***

EJ was charged with administering a poison with intent to endanger life. She had a history of seemingly random aggression towards young children. In this instance, she gave a baby a bottle containing bleach while he was sitting in his pushchair in a branch of Mcdonald's. Due to the serious and unusual nature of the allegations, they attracted worldwide media coverage.

### ***R v AD (2012) Woolwich Crown Court***

AD was accused of offences relating to the home manufacture of improvised explosive devices (IEDs) and possession of a firearm. This case involved the successful challenge of the Crown's contention that all the devices recovered were indeed explosives.

### ***R v KA and Others (2012) Woolwich Crown Court***

KA and two others faced charges of possession of firearms with intent to endanger life. The car in which they were travelling was subject of a 'hard-stop' by Operation Trident police officers. A semi-automatic handgun was found in the foot well in front of KA with the safety-catch off and a bullet in the breach. Also in the car were gloves and a crash helmet. The prosecution argued that all three were on their way to a shooting and that the items in the car, some of which had gunshot residue on them, were a 'shooter's kit'.

This case involved examination of the prosecution's assertion that all three were involved in gangs and gang-rivalry and that this intended shooting was part of an ongoing dispute. The main defendant is a prominent rapper, Giggs and his musical content along with other imagery and telephonic evidence formed part of a bad character application by purported gang experts with rebuttal evidence called from the CEO of his record company.

This trial also dealt with expert firearms evidence associated with the workings and safety features of the firearm. It also involved other forensics, such as GSR and DNA evidence. This case was widely reported in the national press.



### ***R v KB & Others (2012) St Albans Crown Court***

Led Junior, KB was charged with a conspiracy to rob involving multiple allegations of cash-in-transit offences across the South East with firearms and allegations of gratuitous violence. This case required careful consideration of extensive telephone evidence in respect of attribution, call patterns and cell-site evidence. This case was tried some years after the trial of KB's co-defendants, following his absconding and assuming a false identity.

### ***R v FT & Others (2012) Blackfriars Crown Court***

FT and his co-defendants were accused of the false imprisonment of a vulnerable young man with whom they were associated. It was the prosecution's case that they kept him prisoner in his own flat for many hours while they continued to physically assault him before stealing his possessions.

### ***R v KF & Others (2011) Kingston Crown Court***

Worldwide conspiracy to import several tons of cocaine into the UK via the Caribbean and Spain, multi-agency investigation

### ***R v DP & Others (2011) Blackfriars Crown Court***

Conspiracy to convey prohibited articles (drugs and mobile phones) into prison, public interest immunity and legal professional privilege considered given one of the accused was a solicitor, this case also involved a challenge to the DNA evidence and extensive financial material.

### ***R v AS & Others (2011) Newcastle Crown Court***

This case involved a multi-handed conspiracy to kidnap a student allegedly for financial gain and to exact revenge for his role in sabotaging a nightclub business.

### ***R v MD & Others (2010) Inner London Crown Court***

Teenage accused, conspiracy to commit cash-in-transit robberies of banks in South London, allegedly gang-related, cell-site and DNA expert evidence.

### ***R v RT & Others (2010) Inner London Crown Court***

HM Custom and Excise investigation relating to multi-handed conspiracy to import 22 kilos of cocaine concealed within breadfruit from Columbia, cell-site, surveillance and financial evidence.

### **Recent Reported Appellate Cases**

#### ***R v. KD (2020) EWCA Crim. 1589***

This case involved the kidnap of a male from the street who was caused grievous bodily harm by a group of

males, one of whom was later convicted of murder. The offences were committed in the context of gang activity in Islington. KD, then 15, received a lengthy extended sentence for public protection.

Following his sentence, he made excellent progress in detention and his unmet psychological needs and trauma were identified. The Youth Offending Service and Social Services referred his case via the National Referral Mechanism to the Serious Crime Agency and he was identified as having been a victim of exploitation.

This positive finding and his progress enabled a renewed application for leave to the Court of Appeal to appeal against sentence. Leave was granted and KD's application was successful to the extent that the extended sentence was quashed. He will now receive resettlement support.

### ***R v. Ahmed (2016) EWCA Crim. 670***

This case considered the inter-relationship between life sentences, indeterminate sentences for protection of the public from "dangerous offenders" and hospital orders without restrictions.

In this instance, SA, who suffers from paranoid schizophrenia was considered to have been dangerous when sentenced for violent offending (manslaughter and grievous bodily harm). He had spent time in prison and in hospital during his sentence but it was the view of the psychiatrists who initially assessed him and latterly treated him when he was transferred under emergency provisions to secure hospitals that his progress would be better addressed in those conditions and that monitoring by psychiatrists, rather than the Probation Service under licence would better protect the public should he relapse.

The judgment, which was in SA's favour, replacing his life sentence with a Hospital Order without restriction, was a departure from earlier, similar cases, which favoured a more punitive, prison-based approach with respect to violent offenders with mental health disorders.

This case was reported and has been relied upon in a number of further appeals.

## **CRIMINAL APPEALS**

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In addition to her trial work, Stella has also developed a successful advisory and appeal practice. She is instructed by solicitors, voluntary organisations and the Registrar and is also increasingly approached by individuals and their families directly.

### **NOTABLE CASES**

***R v. KD (2020) EWCA Crim. 1589***

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Psychiatrists gave evidence to the Court of Appeal and the case was adjourned for their Lordships to reflect upon this evidenced and for further submissions before judgment. The judgment, which was in SA's favour, replacing his life sentence with a Hospital Order without restriction, was a departure from earlier, similar cases, which favoured a more punitive, prison-based approach with respect to violent offenders with mental health disorders. This case was reported and has been relied upon in a number of further appeals.

***R v CTP (2013) EWCA Crim. 978***

Referral from Registrar, conviction and sentence, procedure regarding second speeches where accused is unrepresented.

***R v KA (2013) EWCA Crim. 171 and Crime Line***

Sentence possession of firearms, general principles, young accused, gang-related offending.

***R v WC (2012) EWCA Crim. 1478***

Direct referral, historical allegations of rape and sexual assault of children, conviction appeal based upon erroneous admission of expert evidence.

***R v TA (2012)***

Young accused, possession of firearm, sentence, dangerous offender, psychological evidence.

***R v HE (2012) EWCA Crim. 3104***

Arson in a prison setting. consideration of psychiatric evidence and vulnerable accused.

***R v MR (2012) EWCA Crim. 2089***

Referral from Registrar, procedure for transfer of summary offences.

***R v HW (2011)***

Young accused, multiple counts of rape, jury bias, capacity to participate in proceedings in issue.

***R v JD (2009) EWCA Crim. 1817***

Young accused, 'dangerous' offender, grievous bodily harm, psychological evidence concerning propensity towards violence. Stella was instructed by The Howard League for Penal Reform.

***R v S (2009) EWCA Crim. 2953***

Young accused, gang-related offending, test-purchase investigation.

***R v CB (2007) EWCA Crim. 1987***

Young accused, armed robbery with firearms, exceptional progress during sentence, principles for sentencing young people considered (pre-guidelines).

***R v CS (2005) EWCA Crim. 2059***

Procedure for Newton Hearings, possession with intent to supply Class A drugs.

## **YOUTH JUSTICE & CHILD RIGHTS**

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Stella has an established practice representing children charged with murder and serious violent offending. Stella's clients have often experienced trauma and neglect and have undiagnosed or poorly understood mental health and psychological conditions and many of the children she works with have been exploited by older peers. Her extensive experience and inclusive approach ensure she gains the confidence of those she represents and secures their full participation in the proceedings they face.

Throughout her career, Stella has represented those with alleged connections to violent gang activity and where the admission of bad character, association evidence and unhelpful stereotypes has been successfully challenged: Stella represented the youngest child to ever be charged with firearms offences; she is currently challenging findings of dangerousness based upon fresh evidence obtained through the National Referral Mechanism and was a recent speaker on challenging the admission of Drill Music in criminal trials.

## **BACKGROUND**

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Stella joined Garden Court Chambers in 2013 after practising at Toops Chambers for nine years. Stella is a trained pupil supervisor and is also a Gray's Inn mentor.

## **EDUCATION**

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**University of Liverpool, LLB**

**Lord Justice Holker Award**

**Gray's Inn (Pupillage) Scholarship**

**Sir Raymond Philip Award, Gray's Inn (BVC)**

## **PROFESSIONAL MEMBERSHIP**

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**Bar Pro Bono Unit Panel Member**

**Criminal Bar Association (CBA)**

**Haldane Society for Socialist Lawyers**

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