



David Emanuel QC

YEAR OF CALL: 1996 | YEAR OF SILK: 2019



David Emanuel QC is one of the country's most sought after criminal defence barristers having appeared in some of the most complex and high profile cases to feature in the criminal courts in recent years.

His successful representation of professional footballer Ched Evans and match.com serial rapist Jason Lawrance are two of the most important cases featuring the law on consent and evidence of a complainant's previous sexual history. David has recently secured the acquittal and release of a man who had served 18 years in prison for a murder he did not commit see: [news](#).

Recent murder instructions have involved issues involving parasitic accessory liability, neuropathology in causation and a historic baby shaking case where death came 14 years after conviction for assault.

It is not just in the Crown Court that he excels, David is regarded as one of the leading appeal lawyers in the country. He has appeared in the Supreme Court and has a

remarkable record of success in the Court of Appeal and in persuading the Criminal Cases Review Commission to refer possible miscarriages of justice (most recently in Nov 2021: [see CCRC website](#)).

David regularly accepts instruction under the Direct Access Scheme to advise in second opinion appeal cases.

"An excellent silk who is easy to communicate with."

CHAMBERS UK, 2022 (CRIME)

"David is a first class lawyer whom I would not hesitate to recommend."

LEGAL 500, 2022 (CRIME)

"He adopts an understated but powerful approach and produces superb final speeches."

CHAMBERS UK, 2021 (CRIME)

"David is exceptionally talented. I wouldn't hesitate to recommend him."

LEGAL 500, 2021 (CRIME)

"He is always well prepared and his knowledge of the law is second to none – he is always up to date with the recent cases and changes and provides well-structured legal arguments before the court."

CHAMBERS UK, 2020

If you would like to get in touch with David please contact the clerking team:

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CRIMINAL DEFENCE

Since taking Silk David has continued to be instructed in high profile and complex cases including representing individuals tried for serial rape - Nottingham Crown Court, murder - historic baby shaking death - Chelmsford Crown Court and murder and robbery - Central Criminal Court.

In 2021 he has successfully defended in trials for murder, historic sexual assault and conspiracy to supply class A drugs and firearms possession.

Recent high-profile cases have included the successful appeal of the so called 'match.com rapist', acquittals of professional footballer Ched Evans for rape and ex-professional boxer, Anthony Small for encouragement of terrorism.

NOTABLE CASES

Past notable cases can be viewed below. [Click here to see a list of recent notable cases.](#)

2020/2021

In December 2021, David secured the acquittal of a man convicted of murder in 2004. Having represented him since 2013, the case has a unique history. David applied to the CCRC to refer the case to the Court of Appeal in 2014 and successfully obtained permission to judicially review their refusal in 2018. The CCRC then reconsidered the application and eventually referred the conviction to the Court of Appeal in 2020. In 2021 David persuaded the Court of Appeal to quash the conviction and they ordered a retrial, At the retrial, David successfully argued there was no case to answer due to deficiencies in the prosecution's medical evidence relating to causation. The trial judge agreed, but the prosecution appealed that decision. The case, therefore, came before the Court of Appeal for the third time in December 2021, the prosecution's appeal was refused and the defendant was acquitted and released from prison after spending 18 years in custody for a crime he did not commit. See [news](#).

David represented the first defendant in a multi-handed gang-related execution over the course of 12 weeks. The jury was discharged after being unable to reach a verdict.

In May 2021, David represented an 82-year-old defendant charged with serious sexual offences that were alleged to have occurred 45 years ago. The case was a retrial after David successfully argued that the convictions at his first trial were unsafe due to errors made by the lawyers representing him at the time as to

the proper legal directions to be given to the jury. The Defendant was acquitted at the retrial.

David was defending in a murder trial at the Old Bailey when the pandemic caused the jury to be discharged at the end of the fourth week of the trial. The retrial finally commenced in November 2020 and David's client was acquitted of any involvement in the killing in January 2021.

David successfully secured an acquittal at Chelmsford Crown Court in November 2020 in a highly unusual murder case where the Defendant had been convicted in 2002 of GBH for shaking his baby son. The child died of his injuries in 2016 and the Defendant was then charged with his murder. The prosecution relied on the 2002 conviction to evidence the requisite intention for murder. David relied on fresh medical evidence to demonstrate that the GBH conviction had been based upon scientific opinion that was no longer valid and the prosecution were persuaded to offer no evidence on the murder allegation.

2019

November 2019: Defending in long-running, multi-handed rape and grooming trial involving multiple complainants at Oxford Crown Court.

July 2019: High profile rape trial of defendant, so called "match.com rapist", serving life for serial rape. Further complainants came forward after media coverage of his original convictions. [Covered by the BBC](#). Case led to ground-breaking and successful appeal case on definition of consent. [Also covered by the BBC](#).

February 2019: At Central Criminal Court, acquittal for murder of man who killed associate when he found out he was a child sex offender. Covered by the [Daily Mail](#).

2018

August 2018: At Cardiff Crown Court, after a second retrial, David's client was finally acquitted of a conspiracy to rob a jeweller with firearms. In a highly unusual set of facts, the prosecution argued that a series of messages between the defendant and an unidentified third party were evidence of an actual planned robbery, whereas the defence successfully persuaded the jury that they were nothing more than a fantasy discussion about a crime that was never intended.

June 2018: David represented (alone) ex-professional boxing champion, Anthony Small, at his trial at the Old Bailey for the encouragement of terrorism contrary to section 1 Terrorism Act 2006 at the Old Bailey. After a four day trial and nearly 10 hours of deliberation the jury acquitted. See [Asian Image](#) and the [Metro](#).

May 2018: After a six-week duty evasion trial at Wood Green Crown Court, and after a successful submission

of no case to answer on money laundering charges, the jury acquitted David's client of the main allegation.

At Aylesbury Crown Court on 22nd February 2018, the prosecution of five men for money laundering and evasion of duty offences collapsed three weeks into the trial due to the prosecution's failure to comply with its disclosure obligations. All five defendants were acquitted. David was leading counsel for the main defendant and took the lead in submissions that led to the case collapsing. [Read more about the case here.](#)

Ched Evans

In the Summer of 2013, David was approached by the family of Ched Evans to consider whether there were any grounds to make an application to the Criminal Cases Review Commission (CCRC). David had not been involved in the case before. After a comprehensive review he considered there were arguable grounds of appeal.

He submitted a detailed application to the CCRC application in 2014: see the [Daily Star](#) and [The Telegraph](#). The CCRC (exceptionally) agreed to give the case level one prioritisation based on David's written submissions. This case was reported by the [BBC](#).

On 5th October 2015, the CCRC announced that the case would be referred to the Court of Appeal for a full hearing. The CCRC accepted that based on David's submissions there was a real possibility that the Court of Appeal would quash the conviction. This case was reported by the [BBC](#).

21st April 2016: After a two day hearing where fresh evidence was heard, the Court of Appeal (David was led at the hearing) held the conviction to be unsafe and quashed it, ordering a retrial which was heard in October 2016 at Cardiff Crown Court. This case was reported by [Sky Sports News](#) and [The Daily Post](#).

On 14th October 2016, after a two week re-trial at Cardiff Crown Court, Ched Evans was found not guilty of rape. This case was reported by [ITN](#).

Contrary to some reports and opinions, the decision of the Court of Appeal, in this case, to allow evidence of a complainant's previous sexual history to be admitted into evidence under section 41(3)(c)(i) Youth Justice and Criminal Evidence Act 1999 sets no new legal precedent. The Court of Appeal explained in its detailed judgment why it reached its decision based on the exceptional circumstances of Mr Evans' case. The Court's decision - which endorsed the view of the CCRC and which was approved by the trial judge at the retrial - does not in any way open the floodgates to the admission of evidence of a complainant's previous sexual history in other cases.

October 2017 - February 2018 - Junior counsel for one defendant in 10 handed historic rape and grooming trial at Oxford Crown Court.

August 2017: In a highly unusual case, David secured an acquittal in a murder case where the victim died 9 years after he was stabbed and the defendant was already convicted of attempted murder. Led by Peter Wilcock QC. See [press coverage](#).

August 2017: Represented Liverpool FC footballer, Lloyd Jones, at his sentence for affray and assault at Gloucester Crown Court. Successfully persuaded the court to pass a community penalty. David's plea in mitigation was widely reported. This case was reported by the [Mirror](#).

April 2017, after an 8 week trial at the Old Bailey the jury acquitted David's client of murder and manslaughter. The defendant, a mother of two young children, was the victim of long-term domestic violence at the hands of her partner who she stabbed to death with a kitchen knife after an incident at their home. David, who was led, conducted a number of the legal arguments in a highly complex case involving non-defendant's bad character, police breaches of the codes of conduct, hearsay and expert evidence admissibility. The case attracted national media coverage, including on the [BBC](#), the [Guardian](#) and [The Telegraph](#).

2016

July 2016: In a joint enterprise case, David's client was acquitted on one count of murder, four counts of attempted murder and one count of violent disorder. The judge at the Old Bailey directed the jury to enter not guilty verdicts after hearing legal submissions - see [press coverage](#).

January - March 2016: Leading counsel in 8 week complex money-laundering/alcohol diversion fraud trial at Southwark Crown Court.

2015 and earlier

April 2015: Acted as junior counsel for Ben Carr in the trial at Winchester Crown Court of the high-profile murder in the New Forest. This case was reported by [Sky News](#).

In March 2014 at Southwark Crown Court, David's client was acquitted of allegations of conspiracy to defraud after a six-week trial. The case involved an alleged multi-million pound mortgage fraud on Barclays Bank and centred on highly technical and complex expert evidence relating to chartered surveyors and commercial property valuations.

In 2013, after an 18-week-long trial at Preston Crown Court, David's client was acquitted of murder,

attempted murder and causing an explosion in the high-profile case of Dale Cregan and others. The case involved the murder of four people including two police officers.

David's client was charged on a joint enterprise basis with Cregan in relation to the first case in British criminal history to involve the detonation of a military grenade. The jury acquitted unanimously. This case was reported widely across the media including in [The Guardian](#).

He has also appeared in a multi-million pound counterfeiting case, a multi-handed armed bank robbery case, a multi-million pound gold smuggling VAT fraud, a multi-handed international telecoms revenue fraud as well as the successful mortgage/banking fraud at Southwark CC. This case was reported by [the BBC](#).

CRIMINAL APPEALS

David is a very experienced criminal appellate lawyer and is highly ranked by the Legal 500 in this category and is the Vice Chair of the Criminal Appeal Lawyers' Association.

He regularly advises on the merits of conviction and sentence appeals where trial counsel has advised there is no appeal. He has undertaken this specialist work throughout his career and always advises comprehensively in writing to clarify uncertainty which often exists post-conviction. He has obtained leave to appeal out of time and has succeeded in having convictions quashed on a number of occasions where original counsel advised there was no appeal in cases as serious as murder and historic rape.

In 2021 David has already successfully appealed a conviction for murder, a conviction for section 18 GBH (after obtaining leave to appeal 18 years out of time), a sentence for manslaughter on the basis it was manifestly excessive and the terms of a Sexual Harm Prevention Order (SHPO).

He is unflappable in high-pressure situations, regularly drawing praise from their Lord and Ladyships for his written submissions and persuasive advocacy.

David regularly drafts CCRC applications and has succeeded in having four murder convictions referred to the Court of Appeal.

David is registered with the Bar Council to undertake public access work, meaning he can be instructed directly by members of the public to advise on the merits of appeals/CCRC applications.

NOTABLE CASES

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Recent Cases

(Jump to: Reported and Important Cases)

December 2021: David successfully resisted a prosecution appeal against a terminating ruling (submission of no case to answer) in a murder trial leading to the Defendant's immediate acquittal

November 2021: CCRC refer conviction for offence under Serious Crime Act 2007 relating to laundering criminal proceeds of over £5M after application drafted by David: [see CCRC website.](#)

November 2021: Successfully appealed against conviction for murder after CCRC referral, Lord Chief Justice presiding.

September 2021: Successfully appealed against the terms of a Sexual Harm Prevention Order that had been imposed with the agreement of previous trial counsel at the sentence hearing. David was asked to review the sentence passed including the SHPO and identified flaws in the terms imposed. The Court of Appeal granted leave to appeal and an extension of time of nearly two years as they recognised the appeal was meritorious. They agreed with David's submissions that the language was imprecise and disproportionate and deleted one of the prohibitions and reworded another.

March 2021: Obtained an extension of time of 18 years in successfully appealing conviction for section 18 GBH in baby shaking case where Defendant was subsequently charged with murder 16 years after assault. Acquitted of murder and successfully appealed sentence for manslaughter. The case was covered by the [BBC](#) and the [local press.](#)

January 2021: Successfully appealed 2004 conviction for murder after CCRC referral.

2020: David represented professional cricketer, Alex Hepburn, in his appeal against conviction for rape, having obtained permission to appeal on the basis of his written representations in a case that attracted national media attention. This case was covered by the [BBC.](#)

July 2020: Successfully appealed two convictions for rape, in the first prosecution for rape on the basis of a lie about fertility. In a ruling by the Lord Chief Justice, the Court of Appeal agreed with David's submissions that the trial judge had erred in concluding that lying about a vasectomy could negate ostensible consent. The case has ramifications for charging decisions and if the decision had been upheld risked criminalising sections of the public who had never been considered sex offenders before. [Covered by the BBC.](#)

November 2019: Court of Appeal, having already granted leave to appeal out of time, quashed the convictions of the appellant who had been advised by trial counsel that he had no grounds of appeal. David had identified that important legal directions had not been given and the Court agreed these rendered the convictions unsafe.

October 2019: Appeared (as junior) in the posthumous appeal against conviction of Gordon Park for the murder of his wife Carol Park, her body was found at the bottom of Coniston Water 21 years after she disappeared. The case has attracted enormous national media attention. See coverage in [the BBC](#).

November 2018: In a ground breaking decision, the Court of Appeal held that the sentencing guidelines applicable to under 18's had relevance to the sentencing of young adults and reduced by three years the sentence of a serial rapist who had committed offences not long after his 18th birthday. Please see [Youth Justice Legal Centre's press release](#) for further information on the case.

May 2018: In a judgment described as "exceptional" by Mr Justice Ouseley, David obtained permission to judicially review the CCRC for their refusal to refer a murder conviction to the Court of Appeal. The case involved complex fresh scientific evidence. After lengthy consideration the CCRC decided not to contest the judicial review and agreed to undertake a fresh review of the case. In 2020, the CCRC finally decided to refer the conviction to the Court of Appeal.

On 15th November 2016, the Court of Appeal quashed the conviction of consultant surgeon, David Sellu, who had been convicted of gross negligence manslaughter in 2013 in relation to his care of a patient he was treating. David, who was led, represented Mr Sellu at the appeal which involved complex expert evidence and consideration of the legal directions to be given to a jury in such cases. The Court did not order a re-trial. The case has been the subject of extensive media coverage. This case was reported by the [BBC](#).

In August 2016 David applied for an extension of time and leave to appeal against the sentence imposed in a serious rape case. The applicant's previous barrister had advised him he had no grounds to appeal. The single judge refused leave to appeal but David took the case to the Full Court who accepted David's submissions and granted the extension and leave before reducing the sentence from 12 years to nine-and-a-half years.

In April 2016, after David's successful application to the CCRC to refer the conviction of Ched Evans for rape to the Court of Appeal, the Court quashed the conviction and ordered a retrial.

Reported and Important Cases

R v GW 17th December 2021: The Court of Appeal upheld the trial judge's ruling to accede to a submission of no case to answer in a complex and highly unusual murder trial and refused the prosecution's

appeal against that terminating ruling.

R v XY November 2021: The Court of Appeal quashed the conviction for murder in a case referred by the CCRC.

R v Dunne 24th September 2021: The Court of Appeal granted leave to appeal out of time and deleted some of the Sexual Harm Prevention Order and reworded other parts on the basis that the sentencing judge had made an order that was disproportionate and lacked precision.

R v Doak [2021] EWCA Crim 536: The Court of Appeal quashed the conviction for section 18 GBH in a baby shaking case and extended by 18 years the time in which to appeal and then reduced the recent sentence for manslaughter on the basis it was manifestly excessive.

R v Gary Walker [2021] EWCA Crim 3: The Court of Appeal quashed the 2004 conviction for murder in a case described as “highly complex and difficult” on the basis of fresh neuropathological and pathological expert evidence and flawed legal directions on causation.

R v Waqaar Khan [2021] EWCA Crim 142: The Court of Appeal granted leave out of time where original trial counsel had failed to obtain proper directions from the trial judge on the issue of complaint evidence.

R v Lawrance [2020] 2 Cr. App. R. 29: The Court of Appeal quashed the convictions for rape of a man who had deceived a woman into having unprotected sex by lying about whether he had had a vasectomy. In the first case of its kind in this country, the trial judge's decision to leave the case to the jury was overturned in a judgment handed down by the Lord Chief Justice. The Court held that to uphold the trial judge's decision would be to endorse “*a sea change in the meaning of consent*” and that such a change could only take place after “*public debate as a matter of social and public policy.*”

R v KK and others [2020] 1 Cr. App. R. 29: The Court of Appeal gave a leading judgment on the correct procedures to be followed when serious jury irregularities are brought to the court's attention before a verdict has been returned.

R v JS [2019] EWCA Crim 2198: The Court of Appeal quashed the convictions for historical sexual offences on the basis that the trial judge's failure to give a direction as to the relevance of the complainant's distress in the witness box rendered the convictions unsafe.

R v Eniola Balogun [2018] EWCA Crim 2933, [2019] CLW 42/10: Court of Appeal reduced the sentence of an 18 year old serial rapist on the basis that his immaturity and youth deserved a larger reduction.

R v David Sellu [2017] 1 Cr. App. R. 24: Consultant surgeon's conviction for gross negligence manslaughter quashed. Guidance on proper directions on meaning of gross negligence.

R v Evans (Chedwyn) [2017] 1 Cr. App. R. 13 (Note: Strict reporting restrictions apply regarding the naming of certain witnesses in this case): Conviction for rape quashed. Fresh evidence and consideration of the exceptional circumstances when a defendant can call evidence regarding a complainant's previous sexual history.

R v Rashid [2016] EWCA Crim 1677: Sentence for rape reduced from 12 years to 9 and a half years.

R v Murray [2016] 2 Cr. App. R. 31: Guidance given on when directions as to defendant's lies in police interviews are necessary.

R v Hunter and others [2015] 2 Cr. App. R. 9: Leading authority on good character directions - specially convened five judge Court of Appeal, Lord Chief Justice presiding, heard conjoined appeal of five appellants (two of them represented by David) - guidance provided to all courts.

R v RT [2014] EWCA Crim 743: Conviction for rape quashed due to defective directions on good character, distress/demeanour of complainant and complaint evidence.

R (on the application of Nunn) v Chief Constable of Suffolk [2014] 2 Cr. App. R. 22: Supreme Court decision on the ambit of post-conviction disclosure duties. David acted for interveners.

R v S.B. [2013] EWCA Crim 899: Convictions for historic sex abuse against appellant's sister quashed by Court of Appeal as judge's directions on complaint evidence, good character, delay and standard of proof were all deficient. Prosecution application for retrial refused.

R v Khan (Mohammed Hanif) [2012] EWCA Crim 2361: Sentence of Imprisonment for Public Protection quashed in case of an Imam convicted of raping a young boy in his care. The Court stated *"we think that there is great force in the submission made by Mr Emanuel both in his written advice and orally that, if the appellant continues to deny responsibility for his offences, and if imprisonment for public protection is imposed, he will either not be eligible to take part in courses and/or he will never be regarded as having addressed the problems in fact. He would then never be regarded by the Parole Board as being eligible for release on licence and he will be 'stuck in the system'".*

R v AC [2011] EWCA Crim 1430: It is of fundamental importance that where there is evidence of recent complaint that the jury are given a direction that the complaint evidence does not come from any independent source. Conviction quashed. No retrial ordered.

***R (on the application of Arshad) v Southwark Crown Court* [2011] All ER (D) 31:** The Administrative Court, in allowing the claimant's application for judicial review, held that the judge's order extending the claimant's custody time limit would be quashed in circumstances where there had been delay in the production of evidence by the crown prosecution service contrary to an order of the court.

***R v Joseph and Others* [2011] EWCA Crim 894:** Where a defendant has a very low IQ it may not be appropriate to impose an IPP despite an assessment of dangerousness in circumstances where the individual may not be capable of completing educational and rehabilitative courses as he may end up stagnating in the system and never being released. IPP quashed.

***Attorney General's Reference No.19 of 2008 (Dexter Andrews and Others)* [2009] 1**

Cr.App.R.(S.) 397: Prosecution's argument that determinate sentence of imprisonment for hijacking of a lorry by defendant with previous convictions for robbery was unduly lenient on the basis a sentence of IPP should have been imposed was rejected by the court.

***R v MW* [2008] EWCA Crim 3901:** Where a judge fails to give proper directions on good character, lies, and delay, and where a judge fails properly to sum up the defence case, the conviction cannot be regarded as safe.

***R v Wheeler* [2008] EWCA Crim. 688 (Criminal Law Week 08/15/2):** Where a defendant, as part of his defence to a charge of rape, had relied on a number of factual assertions that were not in dispute, but which he had not mentioned prior to giving evidence, the judge had been incorrect to direct the jury, pursuant to section 34 of the Criminal Justice and Public Order Act 1994 that they could rely on his failure to mention those facts as capable of founding an inference of guilt.

***R v Barwell* [2007] EWCA Crim 2561:** A sentence of imprisonment for public protection was inappropriate where there was evidence to suggest that a defendant's repressed paedophilic tendencies could be controlled and minimised with effective treatment.

Att.-Gen.'s References (Nos 24, 25, 26, 27, 28 and 29 of 2006) (*R v Artan and others*) [2007]

151 S.J. 1299, C.A.: Guidance on appropriate sentences for offenders committing robbery on the transport system.

***R v Boyle and Ford* [2006] 150 S.J. 1151 CA:** Effect of a fundamental misdirection in section 34 CJPOA 1994 cases on safety of conviction.

***R v Wingrove* [2006] 1 Cr.App.R.(S.) 232(41), C.A. :** Importance of credit for guilty plea in sexual

offences cases.

***R v Feuer* [2005] All ER (D) 95:** Extended sentence (licence period) unnecessary and quashed where licence period of the determinate sentence is long enough to manage risk in the community.

***R v Gibson* [2004] 2 Cr. App. R. (S.) 451 (84), CA:** Where a legitimate expectation is given that a defendant will receive a drug treatment and testing order, it will be unjust to impose a mandatory minimum sentence of three years for domestic burglary under section 111 of the Powers of Criminal Courts (Sentencing) Act 2002.

***R v Birchall* [1999] Crim LR 311 CA:** The first domestic authority to recognise that a failure to give accurate directions in adverse inferences from silence cases could amount to a breach of Article 6 European Convention on Human Rights.

FINANCIAL CRIME AND CONFISCATION

David is regularly instructed in complex fraud and money laundering trials involving analysis of bank accounts and business records and working closely with forensic accountants.

In January 2019 he defended in a complicated car ringing fraud and money laundering trial at Hove Crown Court.

Autumn 2018: David led in a multi-handed large scale housing benefit fraud at Southwark Crown Court.

February 2018: David successfully argued that the case should be thrown out due to serious prosecution disclosure failings, three weeks into a complex Customs prosecution for tobacco smuggling and money laundering.

Leading counsel for defendant at Southwark Crown Court in 2016 in complex money laundering prosecution involving allegation of fake company records over a number of years as a front for large scale duty evasion conspiracy.

NOTABLE CASES

May 2018: After a six week duty evasion trial at Wood Green Crown Court, and after a successful submission of no case to answer on money laundering charges, the jury acquitted David's client of the main allegation.

At Aylesbury Crown Court on 22nd February 2018, the prosecution of five men for money laundering and

evasion of duty offences collapsed three weeks into the trial due to the prosecution's failure to comply with its disclosure obligations. All five defendants were acquitted. David was leading counsel for the main defendant and took the lead in submissions that led to the case collapsing: [Read more here](#).

February 2016 Multi-handed money laundering trial involving fake business records as cover for large scale alcohol importation. Case involved cut-throat with co-defendant and instruction of intermediary to assist with defendant's severe dyslexia.

Represented the first of seven defendants in five month trial at Snaresbrook Crown Court in 2015 relating to prosecution of defendant's business practices over previous six year period, defendant's acquittal led to the acquittal of other defendants.

YOUTH JUSTICE & CHILD RIGHTS

David has regularly been instructed to represent young and vulnerable defendants. Notable cases include the successful defence of a 12-year-old on an attempted murder charge at the Central Criminal Court. He has a particular interest in the way the criminal justice system treats those who have only just passed the age of 18 at the time of the offence. Having successfully appealed the sentence of such an offender in the ground-breaking case of *R v Balogun* where the Court of Appeal stated that the principles that apply to children and young offenders still had relevance to young adults, David has written and lectured on the subject of the sentencing of young adults.

In 2021, the *Criminal Law Review* published an article, '[The sentencing of young adults: a distinct group requiring a distinct approach](#)', that David co-authored with Dr Laura Janes and Claire Mawer. The article sets out the way in which the criminal courts have slowly but surely recognised the relevance of youth and immaturity as significant mitigation when it comes to sentencing young adult offenders. It reviews the significance of *R. v Clarke (Morgan)* (CA) and subsequent cases which have taken account of a defendant's youth and vulnerability with relevance to culpability, how maturity is to be assessed, and relevant guidance from the Sentencing Council.

He has recently lectured on the subject in two prestigious online webinars:

“[Timely Justice: Turning 18](#)”, the Youth Justice Legal Centre’s launch of its [legal guide and policy briefing](#) on turning 18 in the criminal justice system.

“[Sentencing Young Adults: Getting it right first time](#)”, a joint London Criminal Courts Solicitors' Association

and Criminal Appeal Lawyers Association lecture.

BACKGROUND

David studied law at Bristol Polytechnic before going to the University of Cambridge where he gained a Masters in Criminology.

Having always been fascinated with all matters related to the criminal justice system, particularly the impact it has on the individuals who come into contact with it, David gained experience with a number of agencies as a volunteer before studying for the Bar.

He worked for JUSTICE as a case worker examining possible miscarriage of justice cases before the CCRC had been set up. David worked for the Knightsbridge Crown Court Witness Service advising and supporting witnesses in Crown Court trials and he has been involved in training new volunteers. He also worked in the Visitors' Centre at Feltham Young Offenders Institute with inmates and their families. While studying for his Bar exams David worked part-time in a mental health resource centre where he organised activities for those users living in the community.

PUBLICATIONS

'The sentencing of young adults: a distinct group requiring a distinct approach' [2021] 3, 203-217, *Criminal Law Review* (co-authors Dr Laura Janes, Claire Mawer)

'Good Character, Misdirected', Published on [Crimeline](#), November 2017. See the article: [Crimeline News](#)

Practice Note explaining the Court of Appeal guidance on good character directions; PracticalLaw.com
September 2015

'Legal advice to remain Silent' [2004] 5 Archbold News 6 (co-author Anthony Jennings QC) (Updated June 2005)

'Adverse Inferences from Silence- an update' [2001] 9 Archbold News 6 (co-author Anthony Jennings QC)

TRAINING AND SEMINARS

Regularly lectures on developments in criminal appeal law most recently:

“[False Beliefs and Consent to Sex](#)”, part of the prestigious annual Assize seminar hosted by the University of Oxford and the Criminal Bar Association (May 2021)

“[Sentencing Young Adults: Getting it right first time](#)”, a joint London Criminal Courts Solicitors' Association and Criminal Appeal Lawyers Association lecture (July 2020)

“[A perspective from the Court of Appeal Criminal Division](#)”, part of the prestigious RLC lecture series where he was in conversation with the Registrar of Criminal Appeals (June 2020)

“[Timely Justice: Turning 18](#)”, the Youth Justice Legal Centre’s launch of its [legal guide and policy briefing](#) on turning 18 in the criminal justice system (June 2020)

AWARDS

David is a winning member of the Crime Team of the Year award at the prestigious 2018 Modern Law Awards ([Modern Law](#)) for work in the successful appeal against conviction in the case of David Sellu, consultant surgeon whose manslaughter conviction was quashed: [See News](#)

EDUCATION

- LLB (Hons)
- M.Phil in Criminology (Cantab)

PROFESSIONAL MEMBERSHIP

- Fraud Lawyers Association
- Criminal Bar Association
- Criminal Appeal Lawyers Association (Committee Member)

If you would like to get in touch with David please contact the clerking team:

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