



GARDEN COURT CHAMBERS

# James Scobie KC

YEAR OF CALL: 1984 | YEAR OF SILK: 2010



James Scobie KC is a highly experienced leading counsel with a wealth of experience in defending cases of gravity across a broad spectrum of criminal work. He is instructed regularly in cases of murder, armed robbery, multi-handed conspiracies (involving the importation and supplying of Class A drugs) and fraud.

James has extensive experience in defending cases alleging sexual offences, including rape, serious sexual offences against children and the mentally vulnerable. This includes a large-scale paedophile inquiry concerning children's homes in the 1980s and sex offenders using the internet.

He has substantial experience in the Court of Appeal whether with leave or on a pro bono basis. He has appeared at inquests and before Court Martials in Germany and Northern Ireland.

James is ranked as a leading criminal silk in both legal directories.

"No one commands a courtroom at the Old Bailey like James Scobie does."

CHAMBERS UK, 2024 (CRIME, BAND 1)

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'James is at the top of the profession in terms of criminal defence work. A star at the bar; he is highly regarded and much sought after. He is hard-working, brave and a first class lawyer and advocate.'

LEGAL 500, 2024 (CRIME, TIER 1)

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"A go to murder silk, who really gets himself wrapped up in the case."

CHAMBERS UK, 2024 (CRIME, BAND 1)

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"An excellent barrister who chases solicitors rather than the other way round. His cross-examination is fantastic and he really comes into his own in his closing speeches."

CHAMBERS UK, 2023

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"He takes no prisoners and knows how to elicit the best possible position for his client."

CHAMBERS UK, 2022 (CRIME, BAND 1)

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"His determination, drive and passion to ensure the client receives the best possible outcome never falters, and is evident to those around them and the results achieved."

LEGAL 500, 2022 (CRIME, TIER 1)

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## CRIMINAL DEFENCE

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### NOTABLE CASES

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

#### **Murder**

##### **~~Abdul Lounici found Not Guilty of double murder~~**

Following a four week trial, Mr Lounici was acquitted of double murder by the jury in just over an hour on 17th October 2019. He had been on trial for the murders of two young men from Leytonstone in 2014. Shortly after the murders, Mr Lounici had left the country for Algeria, where he remained for five years until he returned to the UK in 2019 in order to "clear his name".

##### **Al Ameri acquitted of murder at the Old Bailey within an hour of the jury retiring**

The defendant, Al Ameri, was accused of being party to a drive by shooting in Burnt Oak in broad daylight. His part, all captured on CCTV, was to block traffic from moving to enable his friend and co-accused to approach the victim in his car and his passenger shoot him as he approached the driver's window. The victim was shot in the groin but survived. Both Al Ameri's and the shooter's vehicles sped off in convoy together immediately after the shooting. The driver abandoned his vehicle and was taken by Al Ameri to his home address. The passenger (shooter) in the co-accused's vehicle was never arrested. Both the accused ran defences to the effect that the gunman had acted on a frolic of his own and that there was no joint enterprise for any planned shooting. Both defendants gave evidence in the trial before the Common Serjeant at the Old Bailey. They were acquitted within an hour of the jury retiring. Tom Wainwright of Garden Court Chambers was also instructed in this case.

##### **~~Sefolli and others acquitted of smuggling 17 Albanian migrants into the UK on a catamaran~~**

The defendant was alleged to be the organiser of a Conspiracy to Facilitate the Unlawful Immigration of 17 Albanians via boat from France to the Chichester area of the South Coast. This was alleged to be a highly

organised team with contacts in Albania, France and the UK. The Defendant faced additional charges of employing illegal workers from abroad on his multiple building sites following Immigration Officers' inquiries. The trial lasted 33 days. The defendant gave evidence for over a week and was acquitted on the Facilitation case by the jury. He was convicted of two of the three employee counts and avoided any immediate custodial sentence. His defence in respect of the Facilitation case was that he was duped by a business partner, Steven Jackson, into purchasing the boat used to ferry the 17 people over from France. Defence witnesses were called on his behalf via Skype from Albania and live in court from Gibraltar.

This was a telephone heavy case where the Crown attributed a 'dirty' phone in Northampton to him as it was cell sited and evidentially linked to a shop next to his office. He denied all knowledge of this phone. The trial was made more complicated by the fact that the brother of his partner at work had pleaded guilty to the conspiracy. He too was Albanian and had done work for Mr Sefolli. Jetmir Marku, the building business partner, was also acquitted. His brother, Jimmy Marku had pleaded guilty to the conspiracy. Keir Monteith QC of Garden Court Chambers was also instructed in this case.

### **Kalif Dibbassey acquitted of murder of fellow prisoner at Wormwood Scrubs**

Kalif Dibbassey was acquitted in less than three hours by the jury after a five-week trial, of the murder of Khader Saleh, a fellow convicted prisoner on C Wing in Wormwood Scrubs prison. The Prosecution alleged that Dibbassey lured the deceased into his cell to attack him with a prison-made shank after a period of hostile violence between them. The deceased was part of Somalian gang on the wing who Dibbassey alleged were hostile to him.

### **Regina v Timi Onyitan and four others**

James Scobie QC represented the defendant who was tried with four of his friends for the murder of Joseph Boci in Greenwich following an evening at the North Pole nightclub. The victim was chased by four men, one admitted to be Onyitan, and had his skull shattered by a baseball bat and metal car jack. The baseball bat was taken from Onyitan's car by one of the co-accused. The incident was witnessed by a number of club users and staff as well as captured in large part on CCTV. It was the defendant's case that he was one of the chasers but turned back before the attack took place. He admitted driving away two of those who attacked the deceased from the scene, as well as taking them back to collect one of the weapons left behind on the road. He gave evidence and was acquitted of murder and manslaughter.

### ***Regina v Christopher O'Sullivan and one other (Central Criminal Court)***

In July 2016 Luther Edwards, 32, was stabbed in Old Ford Road and Cambridge Heath Road, Bethnal Green,

before he died an hour later or his injuries.

The Old Bailey heard during a seven-week trial how Luther was killed. Christopher O'Sullivan, one of the co-defendants, was accused of stabbing the deceased after allegedly being supplied a knife by another co-defendant, Kurtis Thomas.

Following painstaking efforts by the prosecution to prove this, Stephen Kamlish QC and James Scobie QC secured an acquittal at the close of the case by the Judge. Far from Kurtis handing a knife to O'Sullivan, they argued, it was O'Sullivan who handed a cigarette to Thomas.

As such, the two co-accused were acquitted of murder and convicted of manslaughter.

### ***Regina v Siddique Kamara and Kevin Aka-Kadjo (Central Criminal Court)***

On 10 January 2018 the defendant, Siddique Kamara, alleged to be an elder in a Camberwell gang called Moscow 17, and co-defendant Kevin Aka-Kadjo (a younger member of Moscow 17) were cleared of murder at the Old Bailey. Kamara and Aka-Kadjo were involved in a violent feud with another local gang, Zone 2. Kamara was alleged to be the stabber and to have executed the victim, Abdirahman Mohamed, for apparently laughing at Aka-Kadjo, who was present when he was arrested by the police close to where the deceased lived.

This happened three weeks before the murder. The motive was revenge for insulting a gang member. The deceased had a brother who was a member of Zone 2. The defendant was identified as the stabber by the victim's best friend who was with him at the time of the murder. Kamara's defence was that he was falsely and deliberately misidentified.

The evidence included cell site evidence, gang affiliation and CCTV material as well as the identifying witness. Kamara gave evidence at trial. He gave a no comment interview on arrest. He was unanimously found not guilty by the jury with his co-defendant after a five-week trial at the Central Criminal Court. This case has been covered online, including in [Court News UK](#) and [Murder Map](#).

### ***Regina v Simon Baker and another Central Criminal Court***

The defendant, a member of the travelling community, was alleged to have murdered another member of the travelling community at Cobham Service Station using a builder's whisk, which penetrated his head. The defendant's primary defence was self-defence. Both he and his co-defendant were found not guilty. This case has been reported extensively in the press, including in [the BBC](#), [The Independent](#), [The Daily Mail](#) and [The Sun](#).

### ***Regina v Emeofa and three others Central Criminal Court***

On 24 February 2017, Dean Pascal-Modeste (21), known as 'Floss', an aspiring music producer, was stabbed 14 times and killed after being chased to his death, by a group of young men on mopeds and on foot armed with guns and knives. The stabbing took place in broad daylight in a residential area and was said to be the result of a gang feud between the B-Side gang and rival Splash/STR8 gang in Lewisham, south east London.

The feud and stabbing were played out in YouTube videos featuring the DJ Tim Westwood. Both gangs had taunted each other in the videos. Uzoeme Emeofa was acquitted on 17 November 2017 following a seven-week trial at the Old Bailey. Two other defendants, Corey Donaldson and Alex Scott were convicted of murder. The case has been reported widely in the media including in [\*The Guardian\*](#) and [\*The Evening Standard\*](#).

### ***Regina v Hanad Mohammed and three others Central Criminal Court***

Four defendants aged between 19 and 21 were charged with the robbery and murder of Mr Lazar. James Scobie QC and [Bernard Tetlow QC](#) represented defendant two (Hanad Mohammed) and four (Sufyan Elbakkali) who were charged with murder, manslaughter and robbery. Following a five-week trial at the Old Bailey, all four defendants were acquitted on 10 August 2017 after giving evidence denying there was any robbery as alleged by a Crown witness, and they denied knowledge of the carrying of a gun by one of their number. A fifth suspect was still on the run.

### ***Regina v Elizabeth Hart Browne Central Criminal Court***

After an eight-week trial at the Old Bailey, on 27 April 2017 the jury returned not guilty verdicts in the case of a 27-year-old woman charged with the murder of her violent partner. The defendant, a mother of two who had been the victim of a long-term abusive relationship, stabbed her partner to death after he attacked her in their front room.

The defendant stated that she picked up the knife in self-defence and stabbed him accidentally in the course of a struggle. The jury acquitted the defendant after 15 hours of deliberation. The case involved numerous complex legal arguments and has received national media coverage, including in the [BBC](#), [The Guardian](#) and [The Telegraph](#).

### ***Regina v Elmi Awil and another Central Criminal Court***

Elmi Awil, a Brunel University student and talented basketball player, was cleared of murder and manslaughter following a case made by his legal team that he acted in self-defence. Mr Awil, 21, was charged with killing Mustafa Farah, 24, following an argument between two groups on 4 June 2016 on Willesden High Road, north west London. Awil hit Farah with the handle from a shopping trolley after being threatened by

Farah in the confrontation.

Pathologist Ashley Fegan-Earl found he had suffered a heart attack as a result of being struck in the vagus nerve in the neck, something he had only seen three times in 17,000 post-mortem examinations. Farah died in hospital eight days after being injured. Awil initially left the country after the confrontation and went to Amsterdam but later handed himself in to police.

### ***Regina v X and another Central Criminal Court***

James Scobie QC and Catherine Osborne of Garden Court Chambers represented a 17-year-old boy who was charged with the murder of Stefan Appleton, in Nightingale Park, Islington in June 2015. Stefan Appleton was stabbed and killed by a "Zombie Killer" knife. The defendant had driven the stabber both to and away from the scene on a moped. The prosecution case was that this was a revenge attack for a stabbing which had taken place in the area two months earlier.

The defendant maintained that he had been searching for his co-defendant's bike at the time and the stabbing of the deceased was never meant to happen. Following a five-week trial at the Central Criminal Court, the jury found the defendant not guilty of murder and he was discharged. His co-defendant, who had stabbed the deceased, was found not guilty of murder and convicted of manslaughter. This is one of the first "joint enterprise" murder cases to be tried following the landmark Supreme Court judgment of *Jogee*. The case has been widely reported in the national media, including by the [BBC](#), [The Guardian](#) and [The Evening Standard](#).

### ***Regina v Danny Walker and Gavin Allen (Central Criminal Court)***

Gavin Allen and Danny Walker were accused of the murder of Hassan Mohammed Omer Isman, who was shot six times at a private function at the Avalon nightclub in London's West End on Boxing Day 2013. Danny Walker was the central figure in the case due to a long-standing history of acrimony with associates of Nana Oppong, of whose gang the deceased was an associate. The defence for the accused was that they acted in self-defence, and were shown to have been targeted by the Oppong gang in CCTV footage.

The Crown's case was that the defendants were already armed with the handguns they were seen carrying from the premises in the moments after the shooting. Walker contended he was shot by the deceased in his leg before grappling with the gunman, whereupon a further shot was fired. The gun was wrestled from the hand of the deceased and he fled the club followed by Allen, who had assisted him by seemingly shooting the attacker in defence of Walker.

A student nurse, who proved to be a key witness, was contacted by Walker's associates following the shooting and provided medical advice on the phone for the wound to the leg. Both defendants were acquitted by a jury

at the Old Bailey. The case attracted [national press](#) interest. [Read the full case summary here.](#)

### ***R v Scott Andrews and two others***

Defendant alleged to have arranged the shooting of three rival gang members (Pembury) after a series of incidents between A Road gang and Pembury in Hackney. Case centred on the evidence of an A Road gang member who supposedly turned to assist the police. The victims were wrongly targeted and not affiliated to any gang.

The defence for all three accused was that they were being falsely implicated. Disclosure was sought on the witness who initially was granted anonymity and later had his identity revealed. He was barely known to any of the defendants. Pressure was put on the Crown to reveal more information on this patently flawed witness. This ultimately resulted in the Crown revealing undisclosed material that showed the police were offering names to the witness rather than him telling the police what had happened.

This was not revealed in the served statements, which completely hid the fact that names had been given to the witness rather than the other way round. This showed that the case was fatally flawed from the outset and should never have resulted in any of the accused being charged. No evidence was offered and they were all formally acquitted of the three charges. This case attracted [national press](#) interest.

### ***Regina v Carr and two others***

The New Forest murder of Pennie Davis, who was repeatedly stabbed whilst tending her horses. Carr was convicted of hiring Justin Robertson to silence her from bringing to light historic sexual allegations involving him and two of her daughters. This was a cut throat case between the two principals.

Carr's case was that he had hired Robertson to frighten her into keeping out of his and his family's life. Robertson denied having any involvement at all in the crime although had mistakenly dropped the car key to the vehicle he drove that day by the deceased's body. Carr had repeatedly lied in his interviews up to charge. His defence was first revealed shortly before the trial.

The trial was not straightforward as it involved complex legal issues on the admissibility of confessions as against a co accused, bad character and matters involving rumours/police intelligence. The Defendant had educational issues due to severe dyslexia and a history of ADHD. The case was tried by a High Court judge. This trial attracted extensive [national press](#) and TV interest.

### ***R v Dougherty and two others Central Criminal Court***

Prosecution alleged the defendant and two others executed the victim with a combination of knives and an axe in the presence of his partner while in bed having broken into the premises wearing balaclavas. The



background related to a previous knife attack on one of the co-accused carried out by the deceased for payment. The murder was in revenge for that attack.

The defendant's telephone history revealed serious threats were made to the deceased for the knife attack on his friend (one of the co-defendants) in the lead up to the murder, cell siting suggesting surveillance on the victim's home, radio silence in the immediate period of the murder and then subsequent non use. The defendant fled the country for Spain on a false passport soon after the killing and was 'on the run' for over two years only to arrested back in the UK under a false name.

There was critical forensic evidence linking the deceased to the defendant's vehicle he had at the time of the murder. It was accepted the deceased had never been in that vehicle and could only have got there by secondary transfer.

The defendant's case was that he did have a history of antagonism with the deceased concerning the knife attack on his co-defendant, but that the police were ignoring other possible suspects to build a case around Dougherty. The DNA hit of the deceased in his car could only have come from secondary transfer arising out of the knife attack on the co-defendant perpetrated by the deceased.

The cell site and radio silence could be innocently explained while he had to flee the country for his own safety as he was wrongly being accused of the murder by the deceased's friends and family who were seeking retribution. In addition, he had a very long history of criminal offending and considered the police were the last people who would believe him.

His case sought to show a number of viable other suspects who had motives to want the deceased dead, which included a serving prisoner who was having an affair with the victim's partner while on day release in the period leading up to the murder. The defendant was a Category A prisoner throughout. The jury was hung in the first trial but after a 50 day retrial was acquitted along with both his co-accused.

### ***R v Jandara***

Internet liaison between the defendant and bisexual clothes designer. The victim repeatedly stabbed by young defendant in the Kilburn flat where he lived. Motive appears to have been robbery as CCTV showed the defendant leaving the address with numerous bags filled with items belonging to the victim. Jandara was shown to be wearing some of the designer clothes belonging to the victim.

This was the second occasion they had met. It was apparent on looking at Facebook messages the defendant had been offering sex. The case revolved around extensive CCTV and telephone evidence. A Moroccan national, evidence was given with the assistance of an interpreter.

### ***R v Vivekananthan and seven others* Central Criminal Court**

Eight-handed Sri Lankan gang attack in Lewisham. CCTV evidence showed three vehicles travelling from the O2 Arena to the scene. 15 attackers left the vehicles and attacked a group of Tamils drinking nearby. One was chased into the High Street where he was beaten to death. His skull was shattered resulting in brain tissue coming from his head on to the floor. The defendants escaped and eventually were arrested. V made a no comment interview.

At half time the trial judge, after hearing submissions, withdrew the murder count from the jury against V and six others. This was appealed successfully by the Crown before the Court of Appeal as a terminating ruling. None of the defendants gave evidence at the resumed trial. The jury delivered verdicts in line with the judge's half-time ruling, acquitting the seven of murder and convicting of violent disorder. One of the accused was convicted of murder.

### ***Regina v Hewitt and five others* Central Criminal Court**

Twelve-week trial. Crown alleged gangland shooting following a chance meeting between two north London gangs at a club near Hatton Garden on New Year's Eve 2011. The victim was pursued 'by the pack' as the prosecution put it, to be shot three times by one the group. Legal argument on gang related evidence. Cut throat case as identity of shooter in issue. 350 hours of CCTV covering two clubs in different parts of London as well as the streets of Clerkenwell. All six Defendants gave evidence. Lengthy trial but jury reached verdicts in less than three hours. Defendant acquitted.

### ***Regina v Sutton and three others* Woolwich**

Triple shooting at the home of twin brothers. One shot dead, the other survived. The third victim was shot in bed (partner of one of the twins). Lengthy investigation resulted in the four accused being indicted some six years after the incident. Case centred on the identification of one of the accused by the surviving victim, cell site evidence and a motive concerning revenge for the burglary of another accused's premises.

Very complex issues of law on identification involving two of the accused who were twins (like two of the victims), previous acquittals (Sutton) and previous convictions (one of the twin co-accused). All defendants Category A. Case was fixed to be tried by a High Court judge. He refused applications to dismiss from all four accused. However, at a later hearing he ruled out the identification evidence of one of the twins, which the Crown conceded put the reliability of all four defendants cases in doubt. In essence, it was a terminating ruling against all four men.

This ruling was appealed by the Crown to the Court of Appeal who in turn upheld the High Court judge's ruling. All charges were the subject of formal not guilty verdicts.

### ***R v Valton and four others* Central Criminal Court**

Crown alleged the defendant was the gunman who was driven to the scene of the shooting to execute a named target, but in the aftermath of the incident had shot the wrong person. This was alleged to have been part of a series of tit-for-tat shootings among Lewisham gangs. In one of these incidents, Valton had been the victim of the shooting. Case concerned association with other named suspects, cell-site evidence and identification evidence. Case went to two trials.

Jury convicted two close associates of Valton, were hung on him and another, and acquitted the youngest defendant. In neither trial did Valton give evidence. The jury acquitted him at the end of the retrial and convicted the remaining defendant. The victim had been shot three times to the head in front of his partner while sitting in his car.

### ***R v Omar Harrison and two others* Central Criminal Court**

Brutal stabbing of drug dealer on stairwell close to large block of flats in Battersea. Cut throat principally between Harrison and defendant 1 who was assisted by defendant 3 on key jury issues. Harrison had the victim's blood all over his trousers as well as inside a jacket pocket. Defendant 1 had less blood of the victim on him, defendant 3 none. Crown could not and did not allege who the knifeman was. Harrison contended it was defendant 1, the latter Harrison and others.

Crown alleged joint enterprise against all three. Case concerned bad character applications, cross examination of defence statements, scrutiny of police probe in police van taking Defendants 1 and 3 to court. All three gave evidence. Defendants 1 and 3 convicted of murder with Harrison convicted of manslaughter.

### ***R v Ludlow* Woolwich Crown Court**

Defendant aged 18 picked up an older woman at public house and took her home for sex. There she was stabbed 20 times with two knives. During the incident the defendant spoke to his estranged girlfriend while the victim was dying over a period of hours. The girlfriend was aware of the victim's plight as she could hear her screams for help. The victim was left to die.

The attack on her had been in several rooms. The premises were awash with her blood. The defendant's diminished responsibility defence centred on two experts. Midway through the trial they changed their opinion and withdrew his defence. He pleaded guilty. In view of the defendant's personal shortcomings and traits of personality disorder revealed in the trial, as well as his guilty plea he received a life sentence with a minimum

of 17 years.

### ***R v Neesha Dubb (aged 20)***

Seven-handed conspiracy to murder where the defendant drove her boyfriend and an armed co-defendant to meet with a further group of men to seek retribution for an earlier show of 'disrespect' by others. The intended victims were not present outside the bar where the earlier incident had taken place, but in spite of this violence erupted with the arrival of the group of seven.

A gun was fired resulting in the death of the bar owner. It would seem he was not the intended target. The defendant was at the scene of the shooting and ultimately drove the gunman away in the aftermath of the shooting. Her defence was lack of knowledge of the presence of a firearm. Submission of no case to answer on the murder was upheld by High Court Judge. Both her boyfriend and the gunman were convicted of murder. Dubb and the remaining Defendants were convicted of violent disorder. Eight week trial.

### ***R v Alem and others***

Four-handed murder of drug dealer shot three times in the back outside Kennington tube station. Operation Trident case. Cross examination of Crown's cell site expert important in the defendant's defence. His phone alleged to be at the scene of the shooting. He accepted attribution of the phone but denied being present at the scene of the murder, albeit unable to provide an alibi. Acquitted.

### ***R v Jake Lee Central Criminal Court***

Leading counsel. Defendant acquitted of murder. Allegation centred on use of motor vehicle as a weapon. Defendant alleged to have followed victim to scene of crime after nine mile pursuit of vehicle.

### ***R v Hutchinson and others Central Criminal Court***

Leading Counsel. Seven handed gangland shooting in Streatham High Road resulting in one death and another victim seriously wounded. Defendant acquitted after submissions of no case to answer at close of prosecution case.

### ***R v Graham and others Chelmsford***

Leading Counsel. Four-handed murder/robbery case where the victim was elderly. "Honey trap" lured victim to scene of robbery where he was kicked to death.

### ***R v Stoker Williams and others Bristol Crown Court***

Defendant joined on double murder indictment in Bristol and Croydon on the same date. Defendant avoided trial after successful written argument to dismiss case against him. Case went to trial on remaining defendants.

***R v Ramsey and others* Central Criminal Court**

Multi-handed murder involving competing South London gangs of teenagers.

***R v Girmay and others* Central Criminal Court**

Multi-handed murder/robberies trial where the victims were sex workers.

***R v Harrison* Central Criminal Court**

Murder/Attempted Murder. Brixton Road shootings where female survivor was key trial witness in gang shooting. Although identified by the witness as being one of the gunman he was acquitted after giving evidence denying his presence at the scene.

***R v Rogers* Central Criminal Court**

Off-duty prison officer accused of stabbing unarmed teenage victim.

***R v Morris* Central Criminal Court**

Street stabbing case with background of drug dealing.

***R v Ajei* Central Criminal Court**

Planned shooting of victim in murder/robbery shooting with drug-dealing background.

***R v Shafi and others* Birmingham Crown Court**

Multi-handed murder/attempted murder in knife attacks in crowded street after closing time.

***R v Huggett* Lewes Crown Court**

Disabled defendant stabbed mother's partner. Mother main witness for the Crown.

***R v Billy and others* Central Criminal Court**

Seven handed contract murder of Turkish woman who was shot dead on her mother's doorstep by gunman armed with a shotgun. Case had national interest, as the gunman was believed to be the youngest contract killer known to have committed such an offence.

He was alleged to have been hired by Billy who was a local drug dealer. Billy also faced a threats to kill count on the Crown's key witness who was told what had happened by the gunman and let slip he might go to the police. This witness was given special protection by the police. The Crown's evidence involved detailed telephone/cell site evidence CCTV of the actual shooting itself and compromising correspondence of notes seized from the accused to each other both in prison and the court.

### ***R v Robinson and others* Central Criminal Court**

Six handed murder involving the use of a Mac 10 firearm which was fired into premises through an open window killing victim with links to Class A drug dealing and robberies. Case centred on telephone and cell site evidence as well as a female co-accused's interviews that alleged R had asked her to hold on to the weapon within minutes of the shooting.

This was denied by R who stated he had arranged for the item to be dropped off at the girl's home at the request of co-accused L two days after the shooting. L denied this arrangement ever took place. In short, there were two cut throat defences. There were two trials. The first ended prior to speeches after a successful application by R and C (the alleged killers) for severance as no fair trial could take place due to the female defendant 's prejudicial interviews going before the jury without her giving evidence.

Prior to the second trial there was a further severance argument that resulted in L being tried separately. The two accused were tried, gave evidence and were ultimately acquitted of the murder charge.

### ***R v Ithai Mcphee* Central Criminal Court**

Four handed shooting resulting in the murder of a youth near an estate on a disused airfield in Hendon. M was alleged to be the gunman in a series of violent incidents between the victim and co accused IR. This included the kidnapping and torture of a key Crown witness in the lead up to the shooting. The principal Crown witness was an eye witness to the shooting who identified M as the gunman on the night. He gave anonymous evidence via videolink from Dubai. Evidence centred on telephone/cell site evidence as well as a number of young witnesses who were present at the shooting and friends of the victim.

### ***Regina v Mcleod* Central Criminal Court**

Three handed murder where defendant stabbed victim over dispute concerning a mobile telephone. Both were aged 15 at the time. Having left court on bail on another stabbing offence, M robbed the victim of his mobile telephone in Myatts Field Park, Brixton. The victim gathered together a group of at least 10 other youths to track down the defendant the same afternoon.

Having found M there was a confrontation. He was stabbed with a kitchen knife. Case involved difficult cross examination of three anonymous witnesses as well as numerous teenage friends of the victim who attended the scene of the incident. One of the three anonymous witnesses was a child under the age of 10 who witnessed the stabbing.

### **Murder (instructed as Junior Counsel)**

### ***R v Francis and others (Central Criminal Court)***

Nationally publicised shooting of "bouncer" at Fulham nightclub over smoking a cigarette. Defendant acquitted.

### ***R v Michael Peters and others (Central Criminal Court)***

Principal in murder of victim alleged to have raped girlfriend of the accused. Forensic and cell site evidence critical to case.

### ***R v Kunasekarum and others (Central Criminal Court)***

Double murder. Tamil gangland feud involving two separate killings on the same day in different parts of London. Cell site evidence/CCTV material. Defendant acquitted.

## **Attempted Murder**

### **Client acquitted of two attempted murders at the Old Bailey**

PT faced charges of attempted murder arising from two separate shootings where the same firearm was discharged.

The first incident, motivated by a gang feud, involved a shootout in a public car park. PT was identified from CCTV footage by a police officer. After targeted disclosure requests and challenge to the identification process no further evidence was offered during the trial. PT was re-tried on the second set of allegations where the prosecution alleged that he was shown on CCTV and police body worn footage indiscriminately shooting into a crowd. During legal argument James resisted his client's previous firearm's convictions from going before the jury. The jury found PT not guilty of all charges in less than four hours of deliberations.

### **Ajibola (Toykci)**

On Friday 22 April 2016, Mr Popo and Ms Martey were gunned down on a street in North West London in broad daylight. Mr Popo was shot six times, twice in his chest. One of the bullets passed through his body, hitting Ms Martey, the woman behind him. It was luck, rather than design, that allowed them to live. Whilst the attack bore all the hallmarks of a gang reprisal, the gunmen had got the wrong target.

Instead of shooting a rival gang member, they shot two innocent civilians going about their daily lives. The defendant was Tokcy Ajibola a well-known rap artist and YouTube star, familiar to many as 'Trapstar Toxic'. He was charged with two counts of attempted murder, and one count of possession of a firearm with intent to endanger life. Whilst he was alleged to have carried out the shooting along with two or three others, he was the only one charged. Following a three-week trial at the Old Bailey, the defendant was acquitted on 4 October 2017.

Trapstar Toxic has released 'Out Ere', with a [video](#) that features James Scobie QC (at 3:00).

### ***R v Sutton Central Criminal Court***

Defendant acquitted of multiple shooting to the head and body of victim who lived to identify his attackers, albeit paralysed from the effects of the bullet wounds. Drug-related background involving multi kilos of heroin. Sutton had been 'on the run' for three years following the shooting, during which time the other named/identified gunman had been convicted after a trial.

This man was Sutton's best friend. Sutton's defence was that he was being deliberately framed by the victim for the shooting as he (the victim) was too frightened to implicate the real shooter. The reason for that was because the victim would have to reveal that he had robbed that man (the actual gunman) of over 20 kilos of heroin. This would not only reveal his own major drug dealing background (which he denied) but also put himself in danger again as the shooter would finish the job off by having him shot for 'grassing' on him.

During the trial, the defence asked for the victim's clothing to be examined. In the pocket of the clothing worn by him on the night of the shooting was found a quantity of heroin that matched half a kilo found in the victim's car at the scene. The victim claimed not to know anything of either amount of drugs being on him or in the car. Sutton had to contend with late service of gunshot residue evidence matching particles found on the victim's clothing.

This evidence linking Sutton to the shooting was found on a jacket seized from his premises by the police in the aftermath of the shooting and before he went 'on the run'. The trial involved complex phone evidence. The police handling of the case was criticised as key CCTV evidence had been lost and leads for other possible suspects ignored. Sutton gave evidence. The jury acquitted in less than an hour.

### ***R v Williams Central Criminal Court***

Defendant alleged to have shot stepfather in the face over argument concerning relationship with stepdaughter. Defendant ran deliberate misidentification defence, albeit cell site linked him to scene of crime and identification supported by a further civilian witness. Acquitted.

### ***R v Kamran Khan Reading Crown Court***

Leading Counsel. Defendant extradited to UK after six years on the run in Spain following shooting of victim outside a Slough mosque after Friday prayers. Defendant ran self-defence stating firearm was taken from the victim who was then shot by the accused, as he was attacked with a knife. Acquitted.

### ***R v Doherty and others Croydon Crown Court***

Attempted murder involving travelling community when shotgun and machete were used. Acquitted of



attempted murder.

### ***R v Robinson* Central Criminal Court**

Myatts Field, Brixton, shooting where the victim was shot three times but survived to identify R and H as being present and responsible for the attack. This was supported telephone evidence (R's phone in contact with the victim) as well as R being struck by a ricocheting bullet that passed through the victim, struck a wall and hitting R in the ankle. Inevitably R accepted presence but contended that the victim was falsely blaming him as he was too fearful to name those actually involved. His defence included the calling of three serving prisoners who knew the victim and had heard him state the true identity of the gunmen. He and his co-accused were acquitted.

### ***R v Dust* Central Criminal Court**

Attempted murder and poisoning of his wife, culminating in hiring of contract killer who was an undercover police officer, recording the instructions to carry out the offence. Pleaded guilty to lesser offence and sentenced on the basis he was reconciled with his wife. The couple were committed Seventh Day Adventists and were supported by the church. The sentencing judge accepted submissions not to follow the probationer officer's recommendation for an indefinite sentence and imposed six years instead.

## **Manslaughter**

### ***R v Delijah* (Central Criminal Court)**

Planned burglary of wealthy retired couple at night in their home. Two men with balaclavas tied the couple up forced them to reveal the location of a safe. Large amounts of cash were stolen. The male householder suffered a serious beating. He had a heart attack and died. The attackers were alleged to be in possession of a handgun. The defendant was arrested as his fingerprint was found on the tape that bound the couple. The female victim reported smelling fuel oil on the balaclava of the 'eastern European' sounding man.

When the defendant was arrested the police found a balaclava later tested to have fuel oil on it. He was from Albania. The defendant provided a no comment interview and gave evidence at trial. A trial that centred on expert evidence covering fingerprints, fibres, binding tape and cause of death. He was originally charged with murder but later reduced to manslaughter. He required an interpreter. He was convicted.

### ***R v Boggans* (Central Criminal Court )**

One punch manslaughter outside Romford public house. Defendant, an estate agent, had been drinking for most of the evening at the pub where there was a private party. The victim had also been drinking heavily at a separate pub. They encountered each other while waiting in the early hours on the street to be picked up by

separate vehicles taking them home. An issue arose over the departure of another cab. Most of the incident was caught on CCTV, including the blow, which caused the deceased to fall back and fracture his skull on the pavement.

The defendant's case was that he hit the man in self defence as he threatened to 'open him up' with a knife. This pre-emptive strike defence was not mentioned either on arrest or in interview. The victim was of good character, while the defendant had old offences of violence recorded against him. On conviction he was sentenced to four years.

## **Armed Robberies**

### ***R v Goldner/Caballo and others* Kingston Crown Court**

Part of gang alleged to have committed over 25 armed robberies in the south east of England, mainly of betting shops. Both had substantial records of similar offences. Both pleaded guilty. Neither received IPPs.

### ***R v Priestley and other* Kingston Crown Court**

Armed raid on Richmond jewellers where two of the defendants were on day release from prison. Flying squad waiting for the accused after probe evidence installed in their vehicle.

### ***R v Bailey and others* Woolwich Crown Court**

Professional and experienced armed robbers with history of discharging weapons at scene. Cash-in-transit officer shot in vehicle. Flying squad waiting for the defendants. Surveillance/video operation.

### ***R v Crabtree* Central Criminal Court**

Multiple armed robberies case involving attacks on railway station safes in the south east.

### ***R v Hameed* Central Criminal Court**

Attempted murder/armed robberies involving shooting of Securicor Guard.

### ***R v Bado and others* Kingston Crown Court**

Over 30 defendants involved in nationwide organised robberies on jewellers, which culminated in a raid in Antwerp. Miss B was partner to the principal organiser and was shown by CCTV and cell site evidence to be present or close by to numerous raids. A number of separate trials due to the number of defendants. Both B's brother and uncle admitted being involved. Although originally facing numerous substantive robbery offences, Crown ultimately accepted pleas to handling and she was sentenced to a suspended term of imprisonment.

### ***R v Lindo and others* Kingston Crown Court**

Organised, planned robberies of bank and business premises involving the carrying of firearms produced in

the presence of members of the public. L has multiple previous convictions for similar offences. Admitted guilt on a basis, avoiding IPP sentence.

### ***R v Springer and others* Kingston Crown Court**

Conspiracy to commit robbery offences on cash in transit vans and jewellers. This included an offence in Preston where a London based group of robbers targeted a jewellers and took over £250,000 worth of items. Sledgehammers used. S had appalling history including for firearms and similar robbery offences. Avoided IPP.

### ***R v Pulhoffer* Southwark Crown Court**

Young defendant with lengthy record of serious offending. Series of indictments, which included cash in, transit robberies where one of the drivers was stabbed whilst in another there was a police chase where a co-accused fired a hand gun at them whilst P was at the driver's wheel. In addition, several targeted robberies of vulnerable, wealthy women either on the street or at their homes. Sentence considered unduly lenient and referenced by the Attorney General before the Lord Chief Justice who increased it but not to a term of IPP.

### **Conspiracy to burgle**

### ***Regina v Brian Reader and others* Woolwich Crown Court**

Five men were sentenced for their involvement in the Hatton Garden safety deposit box jewellery raid - said by Judge Christopher Kinch to be the "biggest burglary in English legal history". Brian Reader was represented by James Scobie QC of Garden Court Chambers. Terry Perkins was represented by Peter Rowlands, also of Garden Court. The ringleaders had all pleaded guilty to conspiracy to commit burglary over their roles in the £14 million raid of Hatton Garden last Easter. Brian Reader, who was too ill to attend court, will be sentenced at a later date. Terry Perkins was sentenced to seven years in prison. A Criminal Behaviour Order was successfully resisted. The case has received extensive media coverage, including by the [BBC](#), [The Guardian](#) and [The Telegraph](#).

### **Drug conspiracies**

### ***R v McShane and Others* Southwark Crown Court**

SOCA investigation into cocaine importation conspiracy by boat from the Caribbean to the UK involving 100kg+. Extensive cross-examination of surveillance officers alleging incompetence/dishonesty over lengthy period of observations. In addition other officers alleged to have fabricated "verbals". Defendant acquitted.

### ***R v Graham and Others* Southwark Crown Court**

One of the largest skunk cannabis conspiracy cases involving the importation of multi million pounds worth

the drug from Amsterdam over a two-year period. Graham alleged to be multi-kilo distributor during this period. Acquitted.

***R v Abrahamson Southwark Crown Court***

Class A drugs importation on large scale. Professionally organised with Customs Officer one of those convicted.

***R v Smith and others Winchester Crown Court***

Leading Counsel. Multi-kilo cannabis importation from Southern Spain. Defendant ran fruit storage business in Spalding. SOCA case involving years of probe and surveillance evidence.

***R v Beaver and others Kingston Crown Court***

Leading Counsel. Multi kilo importation of Class A drugs from South America involving cell site and surveillance evidence.

***R v Monk and others***

Leading Counsel. Principal in double, multi-kilo importation of cannabis case from Spain. The two importations were divided by several years but the defendant was forensically linked to both. Complex financial investigation.

***R v Taylor Canterbury Crown Court***

Customs Investigation of Major Class A Drugs Importation involving Haulage Industry.

***R v Bassi Woolwich Crown Court***

Multi-handed drugs/guns/explosives case involving informers in Southall.

***R v Isaku and others Kingston Crown Court***

International class A drug dealing conspiracy concerned with multi-kilo consignments of high purity drugs where the cash proceeds were laundered through bureau de changes. Many of the accused Albanian. Police investigation centred on London with surveillance and telephone analysis. It also concerned other parts of Europe including Holland where there was a safe house. Firearms a feature of the case.

***R v Zachariah and Others Kingston Crown Court***

Major SOCA investigation into large scale class A dealing in south London behind cover of a tyre specialist garage in Brixton. Central part of the case was the probe listening device placed in the premises, which recorded weeks of conversations and meetings often concerning the supplying of 'boxes' of drugs. Safe house for packaging and onward supply a short distance from the tyre premises. Z was the principal of the

conspiracy.

### ***Imran Khan and others* Kingston Crown Court**

Major cannabis importation case from Holland involving tons of skunk loaded on to containers. Well organised conspiracy over lengthy period of time and over 50 trips.

### ***R v Callender Martin* Snaresbrook Crown Court**

Large-scale importation of cocaine involving trafficking from the Caribbean and distribution in the UK. Substantial evidence of money laundering of the proceeds as well as extravagant lifestyle of principals. CM alleged to have been organiser.

## **Kidnapping**

### ***R v Khakh and others* Southwark Crown Court**

Principal in Southall gangland kidnapping. Case against this defendant centred on complex phone investigation covering many years.

### ***R v Sany and others* Inner London**

Woman kidnapped in Brighton street allegedly over unpaid drug debt involving her boyfriend. Put in a van and driven away Taser weapon used on her. Police alerted. Defendant caught red handed. Defendant acquitted after judge refused to allow victim's statement to be read in her absence.

## **People trafficking/facilitation cases**

### ***R v Demarku* Southwark Crown Court**

Conspiracy to Traffic for Sexual Exploitation. Albanian gang control young women from Lithuania in large scale sex worker case.

### ***R v Cheema* Canterbury Crown Court**

Large scale organised facilitation case involving the trafficking of people from Punjab into the UK.

## **Firearms trafficking**

### ***R v Ndikanwu and others* Croydon Crown Court**

Defendant acquitted of supplying handguns, ammunition and silencers, in spite of gang being caught with firearms outside his premises, following a lengthy surveillance operation. Defendants linked to the nightclub scene in London as well as Eastern Europe.

## **Firearms/Shooting**

### ***Regina v Tyrone Henry Central Criminal Court***

Mr Henry had been charged with attempted murder, possessing a firearm with intent to endanger life and possession of an offensive weapon after the gun he was carrying shot a Trident undercover officer during his arrest. The charge of attempted murder was dropped on the first day of the trial, as experts accepted that the gun was faulty and had fired without the trigger being pulled. After a two-week trial, jurors at the Old Bailey acquitted Mr Henry of the second charge. He will serve seven years for possessing a loaded gun. Though Mr Henry had two previous convictions, he was trying to turn his life around and was holding the gun to stop a fight escalating between two gangs. James Scobie QC said Mr Henry had been in tears after his arrest, worried about the police officer's condition, and had actually been "trying to get that gun out of circulation".

The case has been reported in the media, including by the [Evening Standard](#) and the [Hackney Gazette](#).

### ***Paul Alexander and seven others Woolwich Crown Court***

Defendant principal in multi-handed firearms conspiracy conducted from his prison cell while serving an indeterminate sentence for the protection of the public for similar offending where he supplied the criminal underworld with converted handguns and ammunition especially in the north west. In this case, he supplied either antique handguns or deactivated firearms for conversion to be used by south London criminals. He was assisted by his wife and step-daughter outside prison and a fellow prisoner, who was serving a life sentence for murder. Complex case where the evidence involved surveillance as well as phone material, which included cell site expert evidence.

### ***R v Powell S.18 GBH with intent***

Point blank shooting in daylight. Victim survived shotgun injury to identify Powell as the shooter. Motive was alleged to be the victim having an affair with his estranged partner, who also gave evidence for the Crown. Powell had fled to the US after the shooting but voluntarily returned three years later. His defence was that the victim and his former partner had framed him for the actions of another who had been dealing in drugs with both Powell and the victim. The latter was a former Jamaican police officer who was deported from the UK following the shooting, as he was an illegal overstayer. He had to give evidence from Jamaica on a live link. Defendant acquitted.

### ***R v Balogun Inner London***

Shooting down fire escape packed with the people at the Fridge nightclub in Brixton. Whole incident caught on CCTV. Avoided IPP.

### ***R v Johnson and Payne* Inner London**

Transfer of loaded gun amongst Brixton gang caught on CCTV. Avoided IPP.

### ***R v Harrison* Inner London Crown Court**

Defendant charged with gangland possession of firearms with intent to endanger life committed on Brixton Estate. Police officers sought to identify him from CCTV footage having known him from the area for many years. Facial mapping and reconstruction part of the defence case. Acquitted at the close of prosecution case after submission of no case to answer was upheld.

### ***R v O'Sullivan* Kingston Crown Court**

Defendant driver of get-away vehicle in Sutton shooting, his defence was lack of knowledge that his passenger had a firearm. The defendant at the time was on licence for a firearm offence. Acquitted.

## **Sexual Offences**

### ***Regina v VS* Isleworth Crown Court**

Kosovan businessman accused of duping a young employee of a company he had business dealings with into coming to a flat where she was held against her will and sexually assaulted. She complained that day to her boyfriend and mother. The defendant was arrested and made a full denial stating the young woman had lied as she had recently lost her job and felt that he had let her down in not persuading her employers to reinstate her.

The defendant denied any sexual impropriety on his part at all. She had made the allegations up to get back at him. The cross-examination centred on the inconsistencies of her allegations with the accounts given to her mother and boyfriend, which the defence contended exposed her as a liar. The officer in the case was extensively cross-examined on the inadequate and unprofessional way the case had been investigated. When the defendant was acquitted by the jury the trial judge called for an explanation as to why the case had been so poorly handled by the police.

### ***Regina v KL* Wood Green Crown Court**

The defendant was a financial analyst who worked in the City and was accused by his flat mate of sexually assaulting her at their flat after they had returned from a night out. She had been drinking heavily and was very drunk. She claimed she had been passing in and out of consciousness as she lay fully clothed on her bed only to find the defendant repeatedly sexually assaulting her.

He denied the allegations stating that there was no sexual misconduct on his part but that he did sleep beside her in order to ensure she did not choke on her own vomit. The complainant reported the allegations to work colleagues and members of her family before going to the police. The jury could not reach a verdict in the trial.

However, the matter was not retried as the complainant chose not to proceed further with the allegations. A verdict of not guilty was accordingly entered.

### ***Regina v JP Southwark Crown Court***

The defendant, charged with historic rape and buggery, was acquitted of all charges after a seven-day trial. The allegations went back to 1970, when the complainant was 13 and the defendant was 17, and covered five separate incidents over a period of months. The complainant had become pregnant and had a termination. The defendant had also had a sexual relationship with the complainant's 16-year-old sister, who refused to cooperate with the court process but provided a statement confirming that their relationship had been consensual, something the complainant suggested was not the case.

During the trial, a substantial amount of live character evidence was called and three 'recent complaint' witnesses were called by the Crown. The issue centred on consent regarding the rape complaint and total denial of the buggery allegation. Important legal arguments were made under s.41 where the defence sought to adduce evidence of four further terminations had by the complainant, three of which were in her teens. The Crown opposed the adducing of this material but the judge granted the application for leave to cross-examine.

### ***R v NR***

Indecent exposure and masturbation in a public swimming pool. Defendant was a secondary school teacher, married with two young children. He was accused of two separate offences committed in the same communal showers at a leisure centre divided by three months. The first was in the presence of three young children between the ages of 9 and 12. The second was witnessed by two adult females. In the first incident the girls all stated he showed them his penis on a number of times while in the showers.

On the second occasion he was alleged to be masturbating. The police inquiry was fraught with incompetence not least the taking of a joint first account from all three children, which was the subject of a s.78 argument to exclude. A further complication was the mental illness of the principal adult witness. She was an inpatient at a psychiatric unit. This area required third party disclosure and subsequent legal argument. In respect of one of the children legal argument under s.41 resulted in being allowed to cross examine her on a previous complaint concerning a separate unrelated case that never went before a court. The good character evidence called was truly remarkable and took nearly a full court day to be completed. The jury acquitted in less than an hour.

### ***R v MMc Northampton Crown Court*****Making / Possessing Indecent Images of Children**

Teacher and adviser on educational policy in the UK reported to police by Mantalk moderator for serious sexual verbal exchanges to another adult on the phone line about young boys. Police attended his home and



seized three computers revealing a number of indecent images of children. Trial centred on complex expert evidence involving the computers. Mantalk conversation excluded after legal argument. Crown offered no evidence mid-way through cross examination of Crown evidence. Defendant acquitted.

### ***R v Dr L* Blackfriars Crown Court**

Dr L accused of serious sexual assault on gay suicidal patient in his NHS surgery. Initially denied any sexual contact had occurred. Forensics showed there had been sexual contact between them. Complainant made allegations immediately after the incident. Dr L ran consent before the jury. Acquitted.

### ***R v Rowe* Inner London**

Stepfather accused of 25-count indictment of rape, sexual assault on stepdaughter covering eight years. Acquitted.

### ***R v Sterling* Central Criminal Court**

Third sexual offence for offender aged 25. This offence concerned an underage schoolgirl. Successfully avoided IPP sentence notwithstanding his appalling record for sexual offences of the gravest kind.

### ***R v Hazelton* Blackfriars Crown Court**

Historical case involving multi count indictment of sado-masochistic child abuse on single child on Pimlico housing estate by seemingly respectable man. Offence came to light after defendant refused to prosecute victim who had tried to stab him as an adult, many years after the offences on him had taken place. Extremely emotive jury trial.

### ***Regina v H* Isleworth**

Historic abuse on two boys and a girl, which came to light in the aftermath of a widely publicised sex tourism investigation involving paedophiles and the internet. H had been caught by expert analysis of the freckles on his hand from seized film footage shown on the internet. Following his sentence and press/ television coverage of that case the three complainants came forward to allege serious sexual abuse on them by H as children. Multiple count indictment.

Jury hung on first trial. H convicted of small number of less serious offences on the second trial over much shorter period than alleged and in respect of the boys only. Defence had been complex and alleged conspiracy against H by all three to 'fit him up' to explain shortcomings in their own lives. Verdicts reflected that to a substantial degree those suggestions made by H were established. Both trials were conducted with the jury knowing H was an admitted paedophile.

### ***R v Gilmour* Isleworth Crown Court**

Teenage defendant who was alleged to have robbed a youth late at night with a screwdriver as a weapon. In the course of the robbery in an alleyway off Brentford High Street the victim was stripped naked and orally and anally raped. He was found in that state by members of the public after G had left him. The defendant was forensically shown to have committed the offence after intimate swabs were taken from the victim. G had suffered traumatic upbringing culminating in his being used by local drug dealers to run drugs for them in the area during which time, serious violence had been inflicted on him by those people. He avoided being sentenced to IPP.

### **Perverting the Course of Justice**

#### ***R v V* (practising solicitor)**

During multi handed murder trial at the Old Bailey a key Crown witness gave evidence which days later he admitted was false. Told lies as pressured to do so by a combination of threatening calls from unknown people on mobile phones and a solicitor who claimed he was acting for one of those in the dock. The murder trial continued with both principals being convicted. Later extensive forensic inquiry into the perverting calls to the key witness concluded that the source of those calls was from phones used by the principals in prison as well as telephone kiosk calls from a solicitor called V.

On arrest he signed a prepared statement stating he had not made those calls. At trial he accepted those calls had been made but there had been nothing said to the witness to change his account. Instead he was acting on behalf of another client who had put him in touch with the witness as he wanted advice. Substantial issues of confidentiality and privilege matters. Defendant acquitted after two-week trial.

### **Section 18 GBH with intent**

#### ***R v Naylor* Isleworth**

Complainant stabbed with 8-inch kitchen knife twice to the arm and finally through the right eye resulting in the removal of the eye and permanent blindness. Defendant gave a no comment interview but ran self-defence/accident at trial. In addition he claimed the complainant's arm injuries were not caused by the knife but at a time when he smashed a window at the premises with his arm. There was no independent evidence to support this other than a window was smashed. The defendant himself only heard the smashing sound so could only suggest the arm injuries had been caused there. Knife picked up in self defence but injury to eye not intended in the struggle. Complainant unarmed. Jury acquitted on the s.18 but hung on s.20 in trial 1. Jury acquitted on the s.20 in trial 2.

## **Arson with intent to endanger life**

### ***R v A Croydon CC***

Two week trial. Petrol bomb attack at night on house and motor vehicle parked outside, occupied by mother with children and grandchildren who were all in bed. Defendant allegedly identified by two of those inside the premises committing the act. Background to attack centred around alleged underage sexual relationship between A's daughter and the partner of one of the mother's daughters who had moved into the premises after a spate of attacks by unknown individuals at another address they lived at. Alleged history of telephone, text and direct threats of serious violence on the family by A over many months meant very close analysis was needed of the principal eye witness's phone download.

This was not disclosed without considerable argument in court as to its relevance. Once disclosed, it revealed a very different life lived by the main eye witness than the one set out in her witness statement. It gave support to A's defence that he had been deliberately framed to prevent him taking his daughter to the police to expose the illegal relationship. The target of the attack was also revealed in cross examination to have others wanting to harm him. He had large unpaid drug debts and his dealers were now after him.

The main identifying witness was cross examined for three days due to the amount of material that was relevant in the download. Her 15-year-old daughter also gave evidence purporting to identify A. Due to fundamental contradictions between the three main witnesses, the police evidence and the telephone download a submission of no case to answer under the second limb of Galbraith was made and upheld by the trial Judge. Jury ordered to deliver verdicts of not guilty on the two counts.

## **Handling stolen goods**

### ***Regina v McLaren and two others (Chelmsford Crown Court)***

The defendant was accused of allowing his storage business to be a magnet for commercial thieves to leave large amounts of stolen goods covering multiple types of property. The value of the property seized on the day the police attended the premises where the 52 containers were kept was about £500,000. There was CCTV evidence of the defendant being present when a large lorry full of boxes of stolen shoes arrived at his yard within an hour or so of their theft at a site some thirty miles or so away.

In essence, it was the Crown's case that the first destination after the theft was the Defendant's premises. He was accused of being a professional thief. He was shown on CCTV to physically handle property that was proved to be stolen as well as on one occasion wear a suit recently part of a large consignment of stolen goods. One of his employees and co-defendants was on an active suspended sentence for handling stolen goods in

identical circumstances to the current offence.

The Judge allowed the jury to know about that conviction. However, the police investigation was shown by the Defence to be negligent and casual. The officer in the case was cross examined for over a day such was the amount of material to be put to him. He had to concede the investigation had been utterly inadequate in many fundamental areas.

The trial Judge withdrew the case from the jury at the close of the prosecution case, something he told the jury he was doing for only the second occasion in fifteen years on the bench. There was a further regulatory offence of possessing several thousand Viagra tablets for sale without a licence. This too was withdrawn after the Judge agreed with Defence submissions that their possession was not in the course of a business.

## CRIMINAL APPEALS

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James has substantial experience in the Court of Appeal whether with leave or on a pro bono basis. He has appeared at inquests and before Court Martials in Germany and Northern Ireland.

### NOTABLE CASES

#### ***Regina v Coatman* Central Criminal Court**

John Coatman, a former headmaster was spared jail after admitting sexually abusing a 15-year-old boy. He was originally convicted by a jury of those offences and other more serious offences involving the victim. At that stage he was represented by a different legal team. Those convictions were quashed on appeal by the Court of Appeal in April 2017 due to an indictment error .

The case returned to the Old Bailey for a retrial when he was represented by James Scobie QC, instructed by Michael Phillips of Andrew Storch Solicitors. On this occasion the defendant offered pleas to the less serious part of the indictment, which were accepted by the Crown Court. The case has been reported in the media, including in the [BBC](#).

#### ***R v A and others* Inner London**

Gang of schoolboys falsely imprisoned and sexually assaulted schoolgirl on school premises. Originally indicted on attempted rape. Guilty pleas on lesser charges for all accused and all successfully appealed their sentences before the Court of Appeal.

## FINANCIAL CRIME AND CONFISCATION

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

### ***R v Kokabzadeh and others***Northampton Crown Court

Large scale carousel fraud involving multi-millions of VAT. Multi-handed. Defendant successfully applied to dismiss the case. Co-accused were tried and convicted.

### ***R v Anderson***Cardiff Crown Court/Cambridge Crown Court

Fraud on Welsh National Assembly and Medical Research Council in Cambridge.

### ***R v Smajlovic***Southwark Crown Court

Accountants firm involved in allegation of defrauding Inland Revenue with false claims of on behalf of workers in the building and construction industry.

### ***R v Saunders*** Guildford Crown Court

Outsourcing VAT Fraud.

## BACKGROUND

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James is a life-long Manchester United and Surrey County Cricket supporter and he actively plays both football and cricket.

## AWARDS

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Shortlisted - Crime and Extradition Silk of the Year 2023 - Legal 500 Bar Awards

Winner - Legal 500 Bar Awards 2015

## WHAT OTHERS SAY

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*"He is probably the most formidable QC in the Old Bailey. His closing speeches and mitigation are of the highest quality."*

Chambers UK, 2020

*"One of the leading serious crime barristers of his generation."*

Legal 500, 2020

*"One of the pre-eminent silks at the Bar defending drugs and murder cases, he's a great jury advocate."*

Chambers UK, 2019

*"An absolutely first-class silk."*

Legal 500, 2019

*"He's a service-minded barrister fully focused on winning."*

Chambers UK, 2018

*"His hard work stands out, and he has the ability to absorb and distil a lot of information very quickly. He's a great jury advocate and is loved by clients."*

Chambers UK 2017

*"His presence in court is mesmerising."*

Legal 500, 2016

## EDUCATION

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**BA (Hons)**

**Diploma in Law**

## PROFESSIONAL MEMBERSHIP

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**Criminal Bar Association (CBA)**

**South Eastern Circuit**

**The Fraud Lawyers Association**

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