



GARDEN COURT CHAMBERS

Kate Aubrey-Johnson

YEAR OF CALL: 2001



Kate has been an accredited mediator since 2007. She has ten years experience as a criminal defence barrister and public lawyer. With a wealth of litigation experience she is able to deal with complex legal and factual issues.

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

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You can also contact Kate directly:

[+44 \(0\)20 7993 7691](tel:+442079937691)

MEDIATION

Parties have confidence in Kate as a facilitative and dynamic mediator. She has a high settlement rate and is regarded as patient and intuitive. She has a wealth of litigation experience and is able to deal with complex legal and factual issues. Further details can be found on the [Garden Court Chambers Mediation website](#).

She communicates sensitively and effectively in an emotionally charged environment, ensuring that parties have space to focus on reaching areas of agreement. Kate believes that mediation allows for parties to reach creative resolutions and that the mediation process can offer meaningful and practical solutions for people in a dispute.

Kate is an active member of the wider mediation community, she is a community mediator with CALM (Confidential and Local Mediation), and has written widely on developments in mediation.

CRIMINAL DEFENCE

Kate has 10 years experience as a criminal defence practitioner and public lawyer. She has a wide range of jury trial experience ranging from fraud to drug conspiracy and firearms to GBH. She has a particular interest and expertise in representing young people and vulnerable defendants, offences involving public order and freedom of expression.

She has represented defendants throughout the criminal justice system from fitness to plead proceedings to appeals against Anti-Social Behaviour Orders. Other areas of expertise include the Human Rights Act, disclosure and abuse of process.

Kate has successfully represented demonstrators and political activists. She has taken legal challenges where the accused's civil liberties have been infringed.

NOTABLE CASES

Drug Importation

R v Snape, Birmingham Crown Court (2006).

Multi-million pound cannabis importation; police operation included foreign intercept evidence.

R v Swaby and others, Croydon Crown Court (2005).

Class A drug importation, cut-throat defence. Included legal argument re-admission of lip reading evidence and telephone billing.

R v Sutherland and others, Croydon Crown Court (2004).

Large-scale class A drug importation involving courier running cut-throat defence.

R v McKeown and others, Birmingham Crown Court (2003).

Extensive police surveillance operation of class A drug business. Legal argument re admissibility of evidence from participating informant; video and audio footage.

CRIMINAL APPEALS

Kate has represented defendants in appeals against Anti-Social Behaviour Orders.

NOTABLE CASES

DWP v Richards [2005]

EWCA Crim 491 Interrelation between confiscation proceedings and the social security regime. (Question certified by the Court of Appeal, leave to the House of Lords refused.)

R v Butler [2004]

Sentence reduced; small-scale cannabis factory.

R v Nelson [2002]

Appeal against sentence - breach of community penalty, failure to take into account level of compliance. Sentence reduced to enable immediate release.

FINANCIAL CRIME AND CONFISCATION

R v Chahal and others, Southwark Crown Court (2008).

£20 million NatWest Bank fraud. Complex. Use of Livenote at trial.

R v Kokabzadeh and others, Northampton Crown Court (2007).

Large scale carousel fraud involving multi millions of VAT. Multi-handed, acquitted following successful application to dismiss.

PROTEST RIGHTS

Kate has successfully represented demonstrators and political activists. She has taken legal challenges where the accused's civil liberties have been infringed.

NOTABLE CASES

R v Eastwood (2008) - climate camp protestor acquitted of obstructing police after she superglued herself to an access gate, which prevented a large scale police operation within the camp.

R v Jones (2006) [subsequently [2006] EWCA Crim 2942] - represented climate change protestor who received ASBO. Subsequently overturned by Court of Appeal.

R v Haw (2005) - successfully represented Brian Haw in criminal proceedings arising during the removal by police of his display of political placards and banners opposite parliament

R v Bailey (2005) - first instance decision successfully challenging the operation of s 44 of the *Terrorism Act 2000*. [This point of law was considered in *Gillan & Quinton v UK* [2008] ECHR 521 - breach of Article 8 held]

PRISONERS' RIGHTS

Kate has an expanding practice of prison law. As part of her commitment to prisoners' rights she was actively involved in establishing the Foreign National Prisoners' Network. The group was established when growing numbers of foreign nationals within the prison estate were facing re-categorisation, immigration detention and removal and were unable to access to legal advice.

BACKGROUND

Kate is the director of the Youth Justice Legal centre at Just for Kids Law. The centre provides specialist legal resources, accreditation, training and advice for those working in youth justice.

Kate has a background in the voluntary sector, which has included work as a research assistant for Liberty (formerly the National Council of Civil Liberties). She is a trustee of a charity working in Uganda, the Rwenzori Development Foundation, and also spent several years working as a youth worker before becoming a barrister.

PUBLICATIONS

Making Mediation Work For You: a practical guide (June 2012), LAG.

"Making mediation work for you is breaking new ground ... [The authors] have produced a book which is easy to understand and informs the reader, whether or not a lawyer, precisely what needs to be known about mediation ... No matter what the nature of a dispute, this book should provide all the ammunition needed to

conduct a successful mediation. "

Lord Woolf, from his foreword.

Kate has published articles in legal journals including *Counsel*, *Legal Action* and *New Law Journal* and has written case reports for the European Human Rights Law Reports.

She is also a contributing author to '*Blackstone's Guide to the Criminal Justice and Immigration Act 2008*' (OUP, 2009).

Kate wrote guest editorial '*Mediation: a threat to access to justice*' for the July edition of *Legal Action*, which can be read [here](#).

TRAINING AND SEMINARS

In addition to her work as a mediator and barrister, Kate provides training and seminars on prisoners' rights and youth justice. She has also provided research on young peoples' rights within the criminal justice system for a number of publications.

Kate is providing a training course [***Making Mediation Work For You***](#) for Legal Action Group. She is also helping to deliver the [***Just for Kids Law***](#) Youth Justice Training Programme in conjunction with the [***Prison Reform Trust***](#).

EDUCATION

- BA (Hons)
- CPE (Distinction, School Prize)
- BVC

PROFESSIONAL MEMBERSHIP

- Legal Action Group
- Liberty

- Garden Court Mediation (accredited by the Civil Mediation Council)

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