



GARDEN COURT CHAMBERS

Lucie Wibberley

YEAR OF CALL: 2005



Lucie practices exclusively in criminal defence with particular expertise in high value fraud, serious violence, drugs, sexual offending and related appellate work. She is a formidable, meticulous and intelligent criminal advocate.

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CRIMINAL DEFENCE

Lucie's instructions in 2018 have included: murder, s.18, fraud (including Operation Slipstream and Operation Wrestler) arson, rape (including by and of children), false imprisonment and drugs (high up supply chain and county line level).

NOTABLE CASES

WIDELY REPORTED RECENT CASES

Recent cases attracting significant publicity in which Lucie was instructed include:

R v Reeves 2017 (led junior). **A pilot acquitted of misconduct in public office**, further to an allegation of misuse of the helicopter's camera to film naked members of the public, widely reported in the national media: [see BBC coverage](#).

R v Norman 2016/17 (led junior). **Robert Norman, a prison officer who was a source for the journalist Stephen Moyes, was convicted of providing information to newspapers in return for payment.** His conviction has been widely reported and concerns raised in the national media: [see Guardian coverage](#). Mr Norman has now appealed to the European Court of Human Rights. [See Press Gazette coverage](#). Lucie and [Keir Monteith](#), both instructed in the [original crown court proceedings](#), are instructed in that appeal, led by [Henry Blaxland QC](#).

Brothel keeping case which collapsed at trial (2016): [see Guardian report](#). Novel human rights arguments had been raised by Lucie challenging the unlawfulness of self employed prostitutes sharing premises for safety, but were not ruled on because the crown offered no evidence: A brothel keeping case in 2017 in which Lucie had put the crown on notice of similar arguments also collapsed pre- trial. Lucie is presently instructed in another similar type high value case (brothel keeping/ money laundering (2018).

RECENT NOTABLE CASES

Serious Violence

R v I (2018) - GBH against prison officers by convicted prisoner.

R v T 2017/18 - Murder (led junior).

R v D 2017 (Possession of firearm with intent).

R v R 2017 - s.18 and robbery with co d resulting in life changing injuries.

R v M 2017 - Two arsons with co-d's (one recklessly endangering life) of compounds storing a large number of vehicles seized by police in a car ringing case, and counts pertaining to the ringing. Acquitted of all charges.

R v H 2017 - Serial arsonist committed further arsons whilst detained under mental health act. Complex sentencing exercise.

R v K 2017 - Kidnap. Multi-defendant (first on indictment).

v R 2017 - Youth with Asperger's (previously undiagnosed prior to reports prepared on Lucie's advice). In possession of a stun gun discharged in public. Suspended sentence.

R v D 2016/17 - Violent Disorder - Political protest. 'The East Street Defendants'. Successful application to dismiss for one defendant. Hung jury for a second defendant, followed by re-trial. Aborted part way through second trial further to defence medical evidence. Crown did not pursue a further trial. [See artists' drawings from the trials here.](#)

R v F 2016 - Violent Disorder (use of weapons).

R v G 2016 - s.18. Female defendant. Stabbed partner through chest, life endangered. Self defence. Acquitted.

R v M 2016 - Arson (£500,000k) multi defendant. Acquitted (submission of no case).

R v P 2016 - Armed Robbery.

R v C 2016 - Possession of Firearm.

R v M 2015 - Firearm with Intent to Endanger Life - Acquitted. Sawn-off shotgun. Loaded. Co-D / Cut Throat.

R v SG 2015 - Aggravated Burglary - Acquitted (watch mistaken for a knife during violent confrontation in which complainant was dragged from her home).

Dishonesty

R v A (2018) - Professional person of good character accused of shoplifting (acquitted).

R v Reeves (2017) - Misconduct in Public Office. Police helicopter pilot acquitted of misuse of helicopter camera to film naked people. [Widely reported in national press.](#) Led by Keir Monteith. Acquitted.

R v G (2017) - Sophisticated pick-pocketing.

R v S (2016) - Multi-handed conspiracy to steal. Acquitted. Fraudulently obtained parcels intercepted using insider information about Royal Mail IT systems. Cut throat. Successfully applied to adduce evidence of co-d's 'confession', secretly recorded by defendant.

R v RN (2015) Misconduct in Public Office - 'Operation Elveden' - 'The Belmarsh Mole'. Led by Keir Monteith. CCC. Senior Treasury Counsel (Leader and Junior). Prison Officer accused of selling information to a journalist at the Mirror/NotW. Article 10 defence. Complex legal submission on abuse, submission of no case, admission of NEO for Co-D and on 'Article 10' jury directions. [Widely reported in national press.](#)

R v A (2015) - Blackmail. Acquitted. Family feud. Defendant's belief in aliens formed part of the defence.

R v TP (2014) - 'Operation Gemini' (118 persons charged). Possession of ID Documents with Improper

Intent. Abuse of Process (Entrapment) - TP traded passports in a shop staffed by UCOs. Back room 'goodies' featured. TP invited to supply a firearm. Detailed and legally complex disclosure arguments relating to RIPA 2000 authorisations and PII argument. Cross examination of senior authorising operational officers (including Police Commander) and of undercover officers. (See linked appeal case of *R v Palmer, Gyamfi & Cooke* [2014] EWCA Crim 1681).

Sexual Offences

R v H et al (2018) - High-value brothel keeping and money laundering (Operation Bean). Abuse argument pending.

R v M (2018) Historical child abuse. Ongoing.

R v N (2018) - Historical child abuse. Ongoing.

R v X (2018) - Rape of prostitutes by a child. Weapon. Hospital Order.

R v A (2018) - Stranger rape/ robbery. Male on male.

R v B (2018) - Acquaintance sexual assault (acquitted).

R v C (2018) - Rape committed as a child.

R v O (2018) - Rape - multiple child complainants (mixed verdicts).

R v H (2017) - Brothel Keeping. Novel legal argument raised regarding unlawfulness of women sharing premises to work as self employed prostitutes for reasons of safety. Argument not ruled on because crown offered no evidence close to trial.

R v A (2016) - Acquaintance Rape (Child- Historical) - Acquitted

R v C (2016) - Acquaintance Rape - Acquitted

R v JY - Brothel Keeping (2016) - Novel legal arguments submitted but not ruled on because no evidence offered by crown at trial.

R v A (2015) - Street Rape (Weapon) - Acquitted.

Drugs

R v L (2018) - Large-scale class A supply linked to firearms distribution.

R v K (2018)- County lines supply chain (class A).

R v M (2017) - Supply cat A further to police raid of defendant of good character living an ostensibly unassuming life.

R v S (2017) - Instructed for female defendant in case concerning large quantity of cocaine for onwards supply with co-d.

R v S (2017) - Multi handed drug supply into prison.

R v D (2017) - Large quantity of cocaine for onward supply close to importation (ongoing).

FINANCIAL CRIME AND CONFISCATION

Lucie is regularly instructed in high-value fraud cases and is experienced in related confiscation proceedings. Fraud cases are often complex and protracted. Lucie ensures availability for conferences and that regular written advice is provided throughout the proceedings.

NOTABLE CASES

R v S (2018) - *Operation Slipstream -Fraud- 15 handed (ongoing)*

R v A (2018) - *Operation Wrestler - Fraud - 5 handed (ongoing)*

R v F (2018) - *DVLA surveillance operation- Fraud - 5 handed (ongoing)*

R v SD (2017) - Multi defendant fraud predicated on computer misuse.

R v T & Others (2017) - Sophisticated multi-defendant bank fraud.

R v I (2016) - Fraud - 'Operation Rhino'- 38 prosecutions, 2 acquittals, of which this was one.

R v T (2016) - Money laundering further to confidence fraud.

R v S (2017) - Drugs confiscation. £8 million.

R v V (2017) - Drugs confiscation for well known MMA sportsman.

R v I (2017) - Confiscation (sole junior). Benefit of £27.5 million alleged (drugs)

R v K (2016) - VHCC confiscation (led junior). Alleged benefit of £12.5 million related to £27 million fraud.

Further to conviction on an MTIC VAT fraud (contra trading).

R v Q (2016) - Confiscation (led junior). £14.5 million benefit (drugs).

CRIMINAL APPEALS

Lucie is a committee member of CALA (Criminal Appeal Lawyers Association) and regularly undertakes appellate work (conviction and sentence).

NOTABLE CASES

Reported

R v Challen

Sally Challen walked free on Friday 7 June 2019 after prosecutors accepted a lesser plea of manslaughter on the grounds of diminished responsibility, for killing her abusive husband after decades of psychological abuse. Coverage in [BBC](#), [Guardian](#) and [ITV News](#).

R v Norman, Appeal Conviction - [2016] EWCA Crim 1564.

Operation Elveden case. Misconduct in Public Office. Belmarsh prison officer accused of providing information to a journalist. Led by Keir Monteith. Appeal proceedings predicated on Article 10 arguments. [Widely reported in national press](#). Appeal ongoing to ECtHR under consideration. A response from the UK Government has been directed by the ECtHR to the appeal grounds lodged (2018).

R v Graham Bathgate [2016] EWCA Crim 930 - Appeal Sentence - Allowed. Activation of suspended sentence overturned.

R v Jackson-Mason [2015] 1 Cr. App. R. 6 - Admissibility of expert evidence (suggestibility). Ghosh direction. Sir Brian Leveson, PQBD.

R v Palmer, Gyamfi & Cooke [2014] EWCA Crim 1681 (led junior) Shop staffed by UCOs. Abuse (entrapment). Disclosure of RIPA 2000 authorisations. UCO gave evidence for the appellant after writing a book in which he criticised the operation (Christian Plowman, Crossing the Line, Mainstream Publishing, 2013). [See coverage in the Guardian](#).

R v OD & HA [2011] EWCA Crim 1395 Youth affray sentencing. Appeal allowed.

Unreported

R v C (2017) Sentenced as an adult for offences of PWIT A, possession of stun gun and related offences committed as a child. Custodial sentence reduced on appeal.

R v Donoghue (2016/17) - Instructed by the Centre for Criminal Appeals for Elizabeth Donoghue- serving life for the murder of her husband. See: ['Junk' science landed mother of three in jail for husband's killing'](#)

R v L (2017) - Sentence reduced on appeal despite offence being committed during operational period of a suspended sentence for similar type offending (stealing from cash machines).

R v N 2016 - Controlling Prostitution. Mother with a history of vulnerabilities and joint custody of a child resident abroad. Sentence varied from immediate to suspended imprisonment further to expedited appeal.

R v KA 2016 (CCRC Referral. Assigned by Registrar) - Asserting negligent professional advice in a possession of false documents case.

BACKGROUND

Lucie worked in politics; at constituency level and subsequently for several years at Westminster, then for INQUEST (deaths in custody) and with a solicitor specialising in election law, before coming to the Bar. She continues her political work, regularly lobbying on the importance of diversity within the legal profession and contributing to the work undertaken by Garden Court to highlight this important issue. She was also previously a clerk for BTAS (which determines disciplinary allegations against barristers).

PUBLICATIONS

['Why the Bar Should Vote No'](#) (published as a blog by 'The Secret Barrister', PSP Solicitors and LCCSA (June 2018))

['What Price Freedom of Speech'](#) (*Counsel Magazine*, February 2018)

['Court Sitting Hours: A Feminist Issue'](#) (*Women in Justice*, October 2017)

['Back to the Future'](#) (*Counsel Magazine*, November 2017)

TRAINING AND SEMINARS

Speaker at the seminar: [Free Speech vs Misconduct in Public Office: Protecting Journalists and Whistleblower Sources from Prosecution.](#)

EDUCATION

- BVC (Inns of Court School of Law)
- PGDL (University of Northumbria)
- Masters, Political Philosophy (UCL)
- BA (Hons) Humanities (First Class) (University of Brighton)

PROFESSIONAL MEMBERSHIP

- Criminal Bar Association
- Criminal Appeal Lawyers Association (CALA)
- The Fraud Lawyers Association (FLA)

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