

Annabel Timan



Call: 2007

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Profile

Annabel is a Leading Junior with substantial expertise in serious and complex criminal trials and appeals including Murder, Terrorism, Offences under the Modern Slavery Act, Firearms offences and Financial Crime. She has acted in lengthy, multi-handed trials, both as led and leading counsel.

In addition to criminal practice, Annabel is experienced in Extradition matters involving both Part 1 and Part 2 requests.

Throughout her career she has appeared in the appellate courts either as a junior alone or led by Kings Counsel in factually and legally complex cases often involving fresh evidence. She is frequently asked to advise on appeal as fresh counsel. In recent years she has acted in the appeal of the Freshwater Five (Fresh evidence case involving an appeal against conviction for the importation of 250 kilos of cocaine through cooperating. The appeal was the subject of a 6-part podcast by the **Guardian**) and The Shrewsbury 24 (representing the Actor Ricky Tomlinson in his successful appeal against conviction for picketing over 50 years ago).

Annabel has retained an international dimension to her practice having previously worked in France advising a multi – national company on its obligations under the UK Bribery Act, and in Ukraine providing advice and training (to the government of Ukraine, the Chief Military

Prosecutor's Office and the State Security Services) on cooperation with the International Criminal Court and domestic prosecutions for war crimes arising out of the Russian occupation of Crimea and the ongoing armed conflict in the East of Ukraine.

Education

BA (Hons) English Language and Literature

First Class Honours

Sir Joseph Priestly Award 2007

[Inner Temple]

Languages

English

French

Related practice areas

Criminal Law

Business Crime

Extradition

Anti-Trafficking

International Law

Criminal Appeals

Criminal Trials

Annabel has a broad practice across the full range of criminal offences. Recent and significant trial instructions include:

R v NT – Two handed, six-week murder trial involving three knife point robberies (led by David Bentley KC). Press coverage can be found here: <https://www.bbc.co.uk/news/uk-england-london-64358173>

R v ED – six-week, multi-handed trafficking trial (facilitating unlawful entry to the UK). Led by Kieran Maidment. Case involved telephony and banking evidence.

R v NW – 5-month Class A drugs and Firearms trial in Nottingham Crown Court involving extensive cell site evidence, covert police recordings and the use of Encro Chat phones (Junior alone, prosecuted by Kings Counsel). Press coverage can be found **here**.

R v DD – Multi-handed murder involving a revenge shooting for theft of Class A drugs - heard and the Central Criminal Court (led by Joe Stone KC). Pres coverage can be found **here**.

R v A – Historic Sexual Offences – Heard before a High Court Judge (led by David Hislop KC)

R v SS – Lead counsel successfully representing young Bulgarian woman accused of facilitating sexual exploitation under the Modern Slavery Act. (leading Danielle Barden 5SH) (Press coverage can be found here: **Daily Mail, BBC**).

R v AD – Junior Counsel defending in 6-week Terrorism trial heard at the Central Criminal Court (led by Andrew Morris at ITN).

R v N and Ors (Led by Lauren Soertsz) - Led junior counsel representing man (H) charged with conspiracy to throw caustic acid on a three-year-old child. (Press Coverage can be found here: **BBC, BBC, The Guardian, Telegraph, ITV**).

R v S and PM (Led by Katy Thorne KC) - Led junior counsel representing homeless man who, together with his girlfriend, was convicted of beating her lover to death inside his flat before setting fire to it in an attempt to cover up the murder. (Press coverage can be found here: **BBC, ITV**).

R v LG, – Defended a man tried for the murder of a young Hungarian woman whose body was discovered in a suitcase (led by Joel Bennathan QC; heard at the Central Criminal Court).

R v TF, – Defended a young man tried for possession of a firearm with intent to endanger life (junior alone).

Appeals

Annabel has appeared in the Appellant Courts throughout her career. She is frequently instructed as fresh counsel to advise and represent clients on appeal. Recent and significant cases include:

R v Elliot Cuciurean – Case Stated Appeal from a decision of the Recorder of London regarding statutory interpretation and the right to appeal to the Crown Court (Led by Richard Thomas KC. Heard by the Divisional Court, awaiting judgment)

Breen v Esso Petroleum [2022] EWCA Civ 1405 – Successful appeal to the Court of Appeal Civil division against sanction for contempt of court (Junior alone, opposite Kings Counsel.

R v Eric Tomlinson and Ors (The Shrewsbury 24) – Junior Counsel (Led by Piers Marquis) representing the actor Ricky Tomlinson (Best known for his role as Jim Royle in “The Royle Family” T.V comedy) in his successful appeal against conviction for picketing during the first ever national building workers’ strike in 1972 (Press coverage can be found here: **The Guardian, BBC**).

Jonathan Beere and Daniel Payne - Appeal of the Freshwater Five - Junior counsel led by Joel Bennathan QC) – Fresh evidence appeal against conviction for conspiracy to import 250 kilograms of cocaine (worth £53 million) into the UK through “coopering” at sea in 2010. The appeal was the subject of a 6-part podcast by the **Guardian**. Other press coverage can be found here: **BBC, BBC, BBC**).

R v Gough – Representing Stephen Gough, the “naked rambler” in a challenge to the legality of an ASBO imposed on him to prevent him from appearing nude in public (led by Stephen Powles). This case has now been referred to the ECtHR.

R v Gough [2013] EWCA Crim 1418 – Represented the “naked rambler” on appeal against sentence for breach of an interim ASBO (junior alone, prosecuted by Treasury Counsel Duncan Penny and heard before Leveson LJ, president of the High Court Queens Bench Division).

Bauer v DPP [2013] 1 W.L.R 3617 – Represented protestors on appeal to the High Court on point of law concerning the remit of joint enterprise, Articles 10 and 11 ECHR and the interpretation of the law of Aggravated trespass (led by Richard Thomas).

R v Mears [2011] EWCA Crim 2651 – Successful in appeal against conviction for offences under the Consumer Protection from Unfair Trading Regulations 2008. Convictions quashed on grounds of apparent jury bias (Led by Geoffrey Robertson KC)

R v Boakye and Ors [2012] EWCA Crim 838 – Represented 5 Applicants in test case on the new sentencing guidelines for drug mule importation offences (led by Edward Fitzgerald KC).

R v Bentall [2009] EWCA Crim 1730 – Represented prisoner in CCRC referral on a point of law concerning remand time and the setting of the minimum tariff in life sentences. Heard before the then Lord Chief Justice of England and Wales, Lord Judge (junior alone).

Extradition

Annabel has appeared in extradition cases both at first instance and on appeal to the High Court. Cases include:

Turkey v OB – ongoing – Turkish extradition request of a Kurdish political activist, raising issues under Articles 5, 6 and 3 ECHR.

Turkey v BC – ongoing – Turkish extradition request of a man accused of stealing from a company with ties to the current Turkish President Erdogan (led by Edward Fitzgerald KC)

Romanek v Poland - Article 8 ECHR

Romania v Maciuaca – Article 8, retrial rights in Romania

Lithuania v Dapkis – Article 3/prison conditions in Lithuania

South Africa v Jason Holland – Represented requested person wanted on a warrant for serious fraud in South Africa and facing a minimum term of 15 years imprisonment. Case involved an application to stay proceedings on the basis of an abuse of the UK courts processes by the South African authorities. After significant negotiation with the South African prosecutor and in co-ordination with the requested person's South African lawyers, the client returned to South Africa voluntarily where he received a suspended sentence by agreement.

Kinga Trybulska v Poland – Successfully represented the sole carer of a 5 year old child whose extradition was sought by Poland for breach of a suspended sentence. The requested person was discharged at first instance.

International Advisory Work

ICC and International Humanitarian Law Reform Project, Ukraine, August 2016 – May 2017, Project Coordinator

Based in Kyiv, Ukraine, Annabel managed a team of international and Ukrainian lawyers providing international humanitarian law advice and training to the Government of Ukraine, the Ukrainian Military, State Security Services, the Prosecutor General's Office and Ukrainian NGOs. The project included advising the Chief Military Prosecutor's Office and the Prosecutor's Office of Crimea on the investigation and prosecution of war crimes arising out of the ongoing armed conflict with Russia as well as providing advice to members of parliament regarding the use of sanctions and communications to the ICC.

Bribery and Corruption, Paris, 2015 - Advised a French multi-national company engaged in global power and transport projects on its obligations under the UK Bribery Act. Based in the offices of the client in Paris, Annabel managed a team tasked with conducting quasi internal investigations and drafting reports on the adequacy of the company's ethics and

compliance procedures.

Missouri death penalty project, April 2015 – Assisted in the Co-ordination of a project based in Missouri, USA, involving strategic litigation and issues relating to the arbitrary nature of the US death penalty system.

Independent counsel to the Constitution Commission of Fiji – Provided advice to the Constitution Commission and drafted Public Order legislation to ensure compliance with human rights (led by Kirsty Brimelow KC).

Dubai Public Prosecution v Hasnain Ali Hussain – Amicus Curiae brief submitted by the United Nations Special Rapporteur on Torture (Counsel of record, led by Tim Moloney KC).

Mike Smith v Dubai - Application to UN alleging arbitrary detention (Pro bono Counsel).

Courts Martial

R v Captain MA, Court Martial Centre Germany – Secured acquittal of Captain accused of Assault by Penetration. The case involved issues of capacity to consent and applications under s41 YJCEA 1999.

R v Private FM, Court Martial Centre Germany – Secured acquittal of Private charged with the rape of an 18 year old soldier.

R v Sapper SJ and Ors, Court Martial Centre Germany – Successful submission of no case to answer on charges of assault.

R v LCpl C, Court Martial Centre Colchester – Secured acquittal of young soldier charged with assault. Case involved an abuse of process argument regarding the destruction of CCTV evidence.

R v LCpl F, Court Martial Centre Portsmouth, Royal Navy – Represented LCpl accused of fraud. Case involved expert voice recognition evidence.

R v LCpl S, Court Martial Centre, Bulford – Represented LCpl in the British Army who pleaded guilty to breaching standing military orders in Nairobi. Following a 2-day sentencing hearing the defendant was spared a prison sentence and permitted to retain his rank. The Co-defendant was sentenced to a term of imprisonment and discharged from the army.

Seminars and Publications

Jurisdiction of the International Criminal Court: International standards and Best

Practices of War Crimes Investigations – Provided to the Prosecutor's Office of the Autonomous republic of Crimea, including investigators and prosecutors who are actively investigating war crimes committed during the ongoing occupation of Crimea

Investigating War Crimes: Population transfer and enforced disappearance – Training provided to Helsinki Union and the Regional Centre for Human Rights based in Kiev, Ukraine.

The International Criminal Court and its preliminary examination into Ukraine –

Seminar provided to the National academy of Prosecutors of Ukraine

Virtual Courts, London Expo Law Conference 2015 – Panellist speaker on the use of virtual courts in criminal cases.

Amicus (Assisting Lawyers for Justice on Death Row) bi-annual death penalty training – Regularly deliver training on investigation in capital cases and in the process of jury selection in US capital murder trials.

Sexual Prevention Orders, Sentencing issues – Doughty Street Chambers, 2014

Appeals to the Supreme Court - Lexis Practice notes (contributing Author 2013)

Slavery – Westlaw Insight Articles (Contributing Author 2014)