

Rebecca Trowler QC



Call: 1995

Silk: 2012

Email: r.trowler@doughtystreet.co.uk

Profile

Rebecca is listed as a leading Band 1 silk in criminal law in the current edition of Chambers & Partners. She has extensive experience in the most serious, complex and high-profile criminal trials and appeals. She accepts instructions in both private and publicly funded cases as well as on a public access basis.

In the 2019 edition of Chambers and Partners she is described as "*an exceptional silk... with an unbelievable eye for detail.*" Over the years Rebecca has been described in Chambers & Partners as being a silk "*in a league of her own*". "*Her preparation and grasp of the facts are phenomenal*", she is a "*supremely intelligent and astute barrister*" with "*excellent judgment and fine analytical skills*" and a "*a cool, tactical approach*". She is "*meticulous in preparation*" and "*a pleasure to work with*".

The current edition of the Legal 500 states that ‘*She can do highly technical advice to the same high standard she does blood-and-guts advocacy.*’ In previous editions she is described as “*alarmingly bright and tactically brilliant*” and it has been noted that she “*resolves contentious issues with diplomacy and steel*” and that “*her tactical and forensic knowledge is first rate*”.

Full details of the cases in which Rebecca has been instructed are set out below. Cases of note in 2019 include *R v Timothy Eastgate* and *R v Lewis Ludlow*. In *Eastgate* she successfully represented the first of four defendants charged with domestic and international cocaine trafficking. Mr Eastgate was alleged to sit at the top of an organised crime group with a geographical reach within the UK from the South West of England, to London and the South East, and to Liverpool in the north, and beyond the shores of the UK into Spain, Holland, Switzerland and Ireland. Following submissions on behalf of Mr Eastgate in relation to inadequacy of disclosure, concerns in relation to the legality of investigatory techniques and the appointment of special counsel, the prosecution offered no evidence. Not guilty verdicts were entered on all counts. In *Ludlow* she appeared for a young British man with autism recruited by IS and charged with preparing acts of terrorism, namely an attack on members of the public by driving a vehicle along the pavement in Oxford Street, central London.

Rebecca’s ‘career cases’ include *Anxiang Du*, murder of 4 members of the same family following an acrimonious business dispute; *Al-Khawaja and Tahery v UK*, European Court of Human Rights, admissibility of hearsay evidence; *Jim Devine MP*, charged with false claims in relation to parliamentary expenses; *Mamdouh Hamza*, soliciting the murder of four members of the Egyptian Government, undercover police officers posing as former SAS contract killers; *Naseer v USA*, extradition sought by the USA in relation to an alleged Al Qaeda plot to cause explosions in central Manchester, appeal concerned with the prohibition against inhuman and degrading treatment and the conditions of detention in US ‘Supermax’ prisons to which terrorist suspects are subjected; *Bruce Childs*, appeal against convictions for 6 murders in the 1970s, described by the Crown in open court as “one of the gravest cases in British forensic history”, false confession and alleged police malpractice; *Grant*, appeal against conviction for murder; abuse of process, police using covert listening devices to record solicitor/client conversations in breach of legal professional privilege; *Farnell v CCRC*, the first ever successful judicial review of a decision of the CCRC not to refer a case back to the Court of Appeal; *R v Lambert*, House of Lords, compatibility of s.28 Misuse of Drugs Act with Article 6 (2) ECHR, retrospective effect of Human Rights Act in criminal proceedings.

Rebecca also regularly provides advice on criminal related matters including: advice on ‘hate speech’ and terrorism related material to a major online retailer; to an International Trade

Association in relation to the potential liability of the company and its officers arising from fraudulent expenses claims by its members; to a major political party in relation to the eligibility of a candidate for the office of Police and Crime Commissioner; to the Centre For Corporate Accountability, advising the family of a man killed in an accident at work as to legality of decision by CPS not to prosecute for manslaughter..

She is also instructed in criminal related civil cases and inquiries, including *The Home Office Independent Review of the forensic investigation into the killing of Damilola Taylor* (representing the Forensic Science Service) and *Nicklinson and L v Ministry of Justice* in the Court of Appeal Civil Division, a judicial review concerned with the rights of autonomy and dignity and the law of murder and assisted suicide (representing the British Humanist Association).

Rebecca is

- Called to the Bars of England and Wales and the British Virgin Islands.
- A Recorder of the Crown Court
- A Bencher at Gray's Inn.
- The International Director of the Criminal Bar Association
- Contributing author to the 2nd Edition of 'Taylor on Criminal Appeals' OUP.
- A member of the Criminal Appeal Lawyers Association.

Education

BSc Psychology (First Class Hons)

Related practice areas

Criminal Law and Appeals

Extradition

Business Crime and Investigations

Criminal Appeal

Rebecca is regularly instructed in legally and factually complex criminal appeals in the Court of Appeal (including referrals by the CCRC), the Supreme Court and the European Court of Human Rights.

- R v Keith Williams [2015], appeal against discretionary life sentence minimum term for

attempted murder. Minimum term reduced.

- R v Childs [2014] EWCA Crim 1884, appeal against convictions for 6 murders in the 1970s, described by the Crown in open court as “one of the gravest cases in British forensic history”. False confession and alleged police malpractice.
- R v Patel [2014] EWCA Crim 1195, appeal against conviction for murder of husband, battered women’s syndrome, fresh psychiatric evidence of PTSD and depression.
- R v Heibner [2014] EWCA Crim 102, CCRC referral to Court of Appeal of conviction for murder in 1976. Alleged false confession and police corruption.
- R v Williams [2013] EWCA Crim 2749, CCRC referral to Court of Appeal of conviction for murder on the basis of fresh evidence supporting a defence of diminished responsibility. Conviction quashed.
- R v Tahery [2013] EWCA Crim 1053 and Al-Khawaja and Tahery v United Kingdom 54 E.H.R.R. 807(23), Grand Chamber of the European Court of Human Rights, conviction based upon sole or decisive hearsay evidence is incompatible with Article 6 of the ECHR. Conviction quashed.
- R v Chaytor and Ors [2011] 1 A.C. 684, Supreme Court; ambit of parliamentary privilege
- R v Jasmine Patel [2011] EWHC 1443 (QB), reduction of minimum term for killing by wife of her husband in the context of domestic violence.
- R v G (Secretary of State for the Home Department intervening) [2009] AC 92, an appeal concerned with whether the prosecution / conviction of a child for consensual but underage sexual activity is in breach Article 8.
- R v Grant [2006] QB 60, Court of Appeal: appeal against conviction for murder; abuse of process, police using covert listening devices to record solicitor/client conversations in breach of Article 6 and legal professional privilege. Conviction quashed.
- Khan v The State [2005] 1 AC 374, Privy Council, Trinidadian death row appeal against conviction for murder; challenge to constitutionality of doctrine of constructive malice. Conviction quashed.
- R v Farnell [2005] EWCA Crim 1021, Court of Appeal, appeal against conviction for murder; special status of defence of provocation and approach to be taken in fresh evidence provocation appeals. Conviction quashed.
- AG's Ref No 140 of 2004 (Dickinson) [2005] All ER (D) 204; [2004] EWCA Crim 3525, Court of Appeal, appeal by Attorney General of sentence passed for misconduct in a public office. Successfully resisted.
- R v James [2004] All ER (D) 248, [2004] EWCA Crim 1433, Court of Appeal, CCRC referral, appeal against conviction for murder in 1986, breaches PACE/ reliability of admissions. Conviction quashed.

- Sealey v The State [2002] UKPC 52, Privy Council, Trinidadian death row appeal against conviction for murder; failure of counsel to adduce evidence of good character. Conviction quashed.
- R v Lambert [2002] 2 AC 545, House of Lords, compatibility of s.28 Misuse of Drugs Act with Article 6 (2) ECHR, retrospective effect of Human Rights Act in criminal proceedings.

Homicide

Rebecca has appeared in numerous homicide trials, including contract killing, gang related murder, drink / drug or mental illness related killing and often involving complex expert evidence.

- R v Sylva, Central Criminal Court 2019, murder, defence of diminished responsibility arising from depression and PTSD.
- R v Stinci, Central Criminal Court 2018, murder, Newton hearing: defeated prosecution case on sexual / sadistic conduct, avoiding 30 year starting point; obtained max credit for guilty plea.
- R v Haye Elliott, Central Criminal Court 2018, Gang related killing, 18 year old client acquitted of murder.
- R v Lawrence, Central Criminal Court 2017, murder, joint enterprise, defendant with learning disability, assisted by intermediary at trial. Acquitted.
- R v Apopei, Central Criminal Court 2017, murder, defence of diminished responsibility arising from schizophrenia.
- R v Stephen Fossi, British Virgin Islands High Court 2016, gross negligence manslaughter: boating accident in which two passengers died; non-custodial sentence.
- R v Gemma Pullen, Central Criminal Court 2016, nurse prosecuted for gross negligence manslaughter: patient died in taxi following discharge from hospital; prosecution dropped after 6 days of application to stay for abuse of process.
- R v Narinder Sondhi, Birmingham Crown Court 2016, attempted murder by shotgun.
- R v Richard Conroy, Inner London Crown Court 2015, murder by shotgun.
- R v Keith Williams, Lewes Crown Court 2015, attempted murder: severe personality disorder.
- R v Hannan, Canterbury Crown Court, 2014, allegation of murder of 65 year old pensioner found dead under the floorboards of the defendant's shop: hung jury; not guilty verdict entered.
- R v Williams, Maidstone Crown Court, 2014, murder of partner: defence of diminished

responsibility arising from alcohol dependence syndrome.

- R v Du, Northampton Crown Court, 2013, killing of family of four following an acrimonious business dispute: defence of loss of control and diminished responsibility due to depression.
- R v Tonbul, Central Criminal Court, 2013, allegation of murder of leading figure in north London Turkish crime gang. Convicted of lesser offence
- R v Walter, Central Criminal Court, 2012, assisting an offender evade apprehension and prosecution for murder.
- R v King, Central Criminal Court, 2011, alleged attempted double murder. Convicted of lesser offence.
- R v Riley, Central Criminal Court 2011, joint enterprise murder of footballer Godwin Lawson in Stamford Hill, London. Acquitted.
- R v Stabler, Reading Crown Court 2011, representing UK heavyweight kickboxing champion. Acquitted of conspiracy to murder and convicted of lesser offence.
- R v Ruby Thomas, Central Criminal Court 2010, homophobic killing of man in Trafalgar Square, London. Expert evidence re causation.
- R v Dixon, St Albans Crown Court 2010, attempted murder of rival north London gang member, identification. Acquitted.
- R v Roberts, Central Criminal Court 2007, attempted murder of a police officer by shooting. Convicted of lesser offence.
- R v Tinker, Southwark Crown Court 2006, Gross negligence manslaughter, death of climber on return from summit of Mount Everest; acted for leader of commercial expedition. Acquitted on application to dismiss.
- R v Catling, Winchester Crown Court 2006, killing of partner whilst under the influence of the controversial anti-depressant Seroxat.
- R v Hamza, Central Criminal Court 2006, soliciting the murder of four members of the Egyptian Government: undercover police officers posing as former SAS contract killers. Acquitted after retrial.
- R v Parchment, Central Criminal Court 2006, gang related tit for tat shooting.
- R v Causley, Exeter Crown Court 2004, killing of wife in 1980s.
- R v Donovan, Central Criminal Court, drink related killing in Upper Street, Islington.
- R v Baker, Central Criminal Court 2003, dug related street killing. Acquitted on half time submission.
- R v Henry, Central Criminal Court 2003, gang related killing, diminished responsibility and provocation.
- R v Martin, Central Criminal Court 2003, murder in the course of robbery, identification. Acquitted following investigations re DNA called for by defence.

- R v Jama, Central Criminal Court 2002, killing by teenager of friend by stabbing 64 times, Asperger's syndrome, diminished responsibility and provocation, murder reduced to manslaughter on appeal.

Regulatory and Financial Crime

- R v Bello, Croydon Crown Court, 2014, £multi-million confiscation proceedings following convictions for conspiracy to assist in unlawful immigration.
- Representing Kazakstani national, SS, in the Commercial Court in 2012. SS was subject to a disclosure order and an order for cross-examination in the context of a series of fraud claims against SS's brother and others in which the JSB BTA Bank seek to recover some £5bn. Instructed to represent SS's interests when being cross-examined.
- Advising an International Trade Association in relation to whether suspected fraudulent expenses claims amount to criminal offences and the potential liability of the company and its officers. 2012
- The 'Dragons Den' Fraud, Blackfriars Crown Court, 2012.
- R v Foster, Central Criminal Court 2012, revenue share fraud. Acquitted.
- R v Jim Devine, Southwark Crown Court 2011, representing former Member of Parliament charged with false accounting in relation to the claiming of parliamentary expenses.
- R v McFarnon and Ors, Kingston Crown Court 2011 (confiscation ongoing), £100million VAT contra-trading fraud. Acquitted of conspiracy to cheat, convicted of lesser offence.
- R v Iktilat & Ors, Woolwich Crown Court 2009, for the first defendant alleged to be the head of a £80 million money laundering operation.
- R v Aboukhachab & Ors, Southwark Crown Court 2007, conspiracy to defraud, representing alleged organiser of multi-million pound fraud against banks and credit card companies.

Terrorism, Political Crime and Protest Cases

- R v Lewis Ludlow, Central Criminal Court, 2019 ongoing, preparing acts of terrorism, alleged IS recruit, plan to attack members of the public by driving a vehicle outside stores in Oxford Street, central London.

- R v Yacub Rae, Preston Crown Court 2016, defendant seeking to purchase automatic weapons from undercover police officers in order to spring children from care of social services and travel to Syria to join IS. Discretionary life sentence avoided.
- R v Avery, Whitehead and Ors, Winchester Crown Court 2009 / 10, the largest and most complex ever animal rights protestor cases, multiple defendants charged with conspiracy to blackmail those trading with Huntingdon Life Sciences, representing two defendants, including the alleged leader of SHAC.
- R v Goodyear & Ors, Birmingham Crown Court 2008, for the second of six defendants in the first ever trial of an allegation of conspiracy to interfere with contractual relations with intent to harm an animal research organisation. Acquitted.
- R v Joseph Harris [2007] 2 Cr App R (S) 37, Court of Appeal, the first appeal against sentence for the s.145 SOCPA offence of interfering with contractual relations. Sentence reduced.
- Attorney General's Reference (140 of 2004) (R v Dickinson) [2004] EWCA Crim 3525, Court of Appeal, appeal the by the Attorney General against sentence passed for breach of Data Protection Act and misconduct in a public office by employee of DVLA who disclosed to animal rights activists the home addresses of those involved in breeding animals for experimentation. Appeal successfully defended.

Other Serious Criminal Offences

- R v Timothy Eastgate, Birmingham Crown Court, 2019. Successfully represented the first of four defendants charged in Operation ORLANDO with domestic and international cocaine trafficking. Mr Eastgate was alleged to sit at the top of an organised crime group with a geographical reach within the UK from the South West of England, to London and the South East, and to Liverpool in the north, and beyond the shores of the UK into Spain, Holland, Switzerland and Ireland. Following submissions on behalf of Mr Eastgate in relation to inadequacy of disclosure, concerns in relation to the legality of investigatory techniques and the appointment of special counsel, the prosecution offered no evidence. Not guilty verdicts were entered on all counts
- R v George Ormond, Newcastle Crown Court 2018, representing former Newcastle United coach charged with historical sexual offences: Acquitted of more serious allegations of buggery.
- R v Shakir, Newport Crown Court 2017, representing senior religious adviser charged with perverting the course of justice. Acquitted.
- R v Nassouri, Kingston Crown Court 2015, conspiracy to facilitate the arrival of asylum

seekers for gain.

- R v Rose, Central Criminal Court 2012, conspiracy to steal £1million worth of gold and silver bullion.
- R v Mirembé, Reading Crown Court 2010, armed robbery of G4S security cards refilling cash machine.
- R v Iktilat & Ors, Woolwich Crown Court 2009, for the first defendant, importation and distribution of multi kilo consignments cocaine.
- R v Marsh & Ors, Inner London Crown Court 2007, conspiracy to supply £5 million pounds worth of cocaine.
- R v Charles, Kingston Crown Court 2005, gold bullion / currency robbery at Heathrow Airport.

Extradition

- Abid Naseer v USA, High Court, 4th and 5th July 2012 (extradition sought by the USA in relation to an alleged Al Qaeda plot to cause explosions in central Manchester; Article 3 and conditions of detention under special administrative measures at a US Supermax prison).
- Hewitt and Woodward v Spain [2009] All ER (D) 234, [2009] EWHC 2158 (Admin) (sufficiency of particulars of EAW; mental condition).

Crime Related Public Law

- Nicklinson and L v Ministry of Justice in the Court of Appeal Civil Division, a judicial review concerned with the rights of autonomy and dignity and the law of murder and assisted suicide (representing the British Humanist Association).
- Farnell v CCRC, [2003] EWHC 835, Times, June 2, 2003, the first ever successful judicial review of a decision of the CCRC not to refer a case back to the Court of Appeal.

Inquests and Inquiries

- The Home Office Independent Review of the forensic investigation into the killing of Damilola Taylor (representing the Forensic Science Service).