

Abigail Bright



Call: 2010

Email: a.bright@doughtystreet.co.uk

Profile

With a strong academic background, Abigail's practice is diverse. She brings a public law-oriented strategy to her instructions in criminal and civil cases.

Direct access extradition, criminal, civil instructions are welcomed.

Practice areas

Abigail has a significant profile in fraud, financial crime, and extradition.

She practises in several areas of chambers' expertise, including: instructions to prosecute in financial regulatory hearings; instructions to defend in regulatory hearings; statutory and non-statutory public inquiries; jury and trial advocacy, referral appeals; judicial review; injunctions and damages against public authorities.

'Careful submissions': McCombe LJ (sitting with Lewison LJ) in *R. (Saleem) v. Serwan and Liverpool Victoria Insurance Services* [2015] EWCA Civ. 123 – committal for civil contempt; on appeal from the High Court of Justice, Queen's Bench Division (Mr Justice Lewis) [2014] EWHC 1846 (QB)

'Very able submissions': Wilkie J. in *B v. Government of Poland*, 11th November 2015 –

renewed oral application for leave against an order of extradition

'The Claimants are an MP and a Peeress, Caroline Lucas MP and Baroness Jones of Moulsecoomb, who have been represented by Mr Ben Jaffey and Mr Jude Bunting of Counsel, and an ex-MP, who was still an MP at the time of the issue of these proceedings, Mr George Galloway, represented by Mr Rupert Bowers QC and Abigail Bright. The Respondents are the three Security Intelligence Agencies (SS, SIS and GCHQ), and the Secretaries of State for the Home Department and for Foreign and Commonwealth Affairs, responsible for the Security and Intelligence Agencies and for the grant of warrants under s.8(1) and 8(4) of the Regulation of Investigatory Powers Act 2000 ("RIPA"), all of whom have been represented by Mr James Eadie QC, with Ms Kate Grange and Mr Richard O'Brien of counsel. We have been very grateful for the very thorough preparation and the very lucid presentation of this case.' Mr Justice Burton (President), **(1) Caroline Lucas MP; (2) Baroness Jones of Moulsecoomb AM; (3) George Galloway v. (1) Security Service; (2) Secret Intelligence Service; (3) Government Communications Headquarters; (4) Secretary of State for The Home Department; (5) Secretary of State for Foreign and Commonwealth Affairs [2015] UKIPTrib 14_79-CH**

Education

Coroners and Inquests, KCL short course, 2017

Law, War, and Human Rights, LSE short course, 2015

Dip.F.M.S. (Diploma in Forensic Medical Sciences), Barts and The London School of Medicine, 2010

Bachelor of Civil Law (BCL), Distinction, Balliol College, University of Oxford, 2008

Law with Advanced Studies, First Class Hons., UCL, 2002-2006

Related practice areas

Criminal Law and Appeals

Business Crime and Investigations

Extradition

Data Protection and Information Law

Advocacy

Abigail places a premium on jury and tribunal advocacy.

In March 2017, she was invited to present the 'model' plea-in-mitigation to all students at Middle Temple's residential advocacy weekend at Cumberland Lodge.

Abigail helps to administer the Kalisher Trust's advocacy training programme for Bar school students, pupils and new tenants. She presents at Kalisher Trust 'Art of Persuasion' events.

Abigail administers the annual King's College London Human Rights Moot, sponsored by Doughty Street Chambers.

Abigail is a mentor for scholars of Middle Temple's '**Access to the Bar**' awards.

She advocates, daily, for barristers as the elected representative of barristers under seven years' Call who hold membership of the Criminal Bar Association of England and Wales (2017 to 2020).

She was previously a co-opted member of the Criminal Bar Association (2014 to 2017).

Appointments

- Guest lecturer (2013 to present), **Institute of Psychiatry, Psychology & Neuroscience**
- **Elected** (2017-2020) to the executive committee of the Criminal Bar Association of England and Wales, having served as a co-opted member of the Association (2014-2017)
- Trustee and board member, **Chaos Theory**, a grassroots charity that targets serious violence
- Mentor, Middle Temple '**Access to the Bar**' Awards
- 2016: Appointed counsel to the Inquiry, Undercover Policing Inquiry (a statutory public inquiry)
- 2016: Appointed counsel to the Inquiry, **Independent Inquiry into Child Sexual Abuse, investigation into the late Lord Janner of Braunstone Q.C.** (a statutory public inquiry)
- 2011: Appointed noting counsel, **The Mid Staffordshire NHS Foundation Trust Public Inquiry, Chair: Robert Francis Q.C.** (a non-statutory public inquiry)

- Honorary teaching fellow (2009-2010), Faculty of Laws, UCL, in criminal law and evidence
- Assistant researcher (2009) for Professor Lucia Zedner, Senior Research Fellow at All Souls College, University of Oxford; Professor of Criminal Justice in the Faculty of Law; and member of the Centre for Criminology, University of Oxford
- Assistant researcher (2008) for Professor Andrew Ashworth, Q.C. (honoris causa), emeritus **Vinerian Professor of English Law**, University of Oxford, 1997 to 2013
- Honorary faculty research fellow (2006-2008) at **The Bentham Project**, UCL
- Case digester (2007-2009), **Administrative Court Digest**
- Editor-in-Chief (2006-2007), **UCL Journal of Law and Jurisprudence Review**, sponsored by Blackstone Chambers and Slaughter & May

Publications

- September 2017, '**Government wants to maintain science links with EU but is silent on future funding**', published by LexisNexis
- Forthcoming, 2017: **The Drugs Offences Handbook**, Bloomsbury Press, co-author
- May 2017, '**Brexit negotiation guidelines reveal 'some distance' between EU and UK Brexit strategies**', published by LexisNexis
- February 2017, **Who gets Silk 2016-17? The story behind the statistics in this year's Silk list**, Counsel Magazine, written together with David Wurtzel
- January 2017, **Assessing legislative incompatibilities relating to human rights: A digest of the response by the Ministry of Justice to a report of the Joint Committee on Human Rights on the government's response to human rights judgments in 2014– 16**, published by LexisNexis for Public Law Analysis, LexisPSL
- November 2016, 'Out-of-hours and emergency applications', **How to do Judicial Review**, hosted by Allen & Overy LLP; training materials were published by the Public Law Project
- November 2016, speaker with Peter Carter Q.C. at a UK Policy event, **Confronting Modern Slavery & Human Trafficking: Empowering Law Enforcement, Supporting the Victims and Ending the Trade in Human Beings**

, Royal Society of Chemistry, Burlington House. Seminar moderated by the Co-Chair of the All-Party Parliamentary Group on Human Trafficking and Modern Slavery, the Rt. Hon. Baroness Butler-Sloss GBE. Presentation focused on the statutory defence per section 45 of the Modern Slavery Act 2015, a defence available to slavery or trafficking victims who offend. Presentation also considered implications for extradition law and the Council of Europe Convention on Action against Trafficking in Human Beings.

- September 2016, **International money laundering—the role of the UK**, published by LexisNexis for Corporate Crime Analysis, LexisPSL
- July 2016, **Extradition and mutual legal assistance requests in corporate crime cases: What is the wider legal significance of the recent extradition of Mohammed Zubair, a Pakistani national, from Pakistan to England?** published by LexisNexis for Corporate Crime Analysis, LexisPSL
- April 2016, 'When Helen Stabbed Rob – The LexisNexis interview: The Archers', **Part One** (Monday 5th April 2016) and **Part Two** (Tuesday 6th April 2016) and **Part Three** (Thursday 8th April 2017), written together with Edward Grange, partner at Corker Binning; comments on all three articles are hosted on the **Corker Binning blog**
- March 2016, **Fundamental principles of criminal procedural law**, the Old Library, All Souls College, University of Oxford. Guest speaker for a visiting delegation of the Norwegian Law Commission. The Commission sought to consult English criminal practitioners and Law Commissioners before it revised its Criminal Procedure Act.
- November 2015, **Modernising the law on violence: A response to Law Commission proposals**, published by LexisNexis for Corporate Crime Analysis, LexisPSL
- March 2014, **A Three-Way Tug of War: How has human rights law has been articulated and interpreted by the European Courts, the United Kingdom Courts and the British Government?** Counsel Magazine, written together with Francis FitzGibbon Q.C.
- November 2013, **Tomorrow's Bar: Engaged in the future**, Counsel Magazine
- September 2010, **A Long Way From Home: Is it possible to challenge extradition requests based on the right to family life following Norris?** Counsel Magazine

Judicial Reviews of Investigatory and Prosecuting Authorities

Abigail has a proven practical grasp of the courts' jealous protection of legal professional privilege. In 2014, Abigail acted for all claimants in three successful judicial reviews of the issue and execution of search warrants: **Khajag Kouyoumjian, Sarkis Kouyoumjian v. Hammersmith Magistrates' Court; The Metropolitan Police** [2015] A.C.D. 27 (instructed by Byrne and Partners); **R. (AB and CD) v. Huddersfield Magistrates' Court and the Chief Constable of West Yorkshire Police** [2014] 2 Cr. App. R. 25; **R. (on the application of S, F, and L) v. Chief Constable of the British Transport Police; Southwark Crown Court** [2014] 1 W.L.R. 1647, reported as a Practice Note. Orders of anonymity were secured in respect of five claimants (AB, CD, S, F, and L) in those judicial reviews. Anonymity was sought because all claimants were solicitors or solicitors' firms.

In 2017, Abigail represented the interests of a member of the Special Air Service ('SAS') in a warrants claim against the Metropolitan Police Service (Kingsley Napley instructing). The Force initially asserted public interest immunity as a bar to the claimant obtaining the information underlying the application made for the warrant that permitted a search of his home. On receiving the claimant's written submissions, the Force then withdrew that objection. The claim against the Force settled, with costs agreed.

Statutory and non-statutory public inquiries

Abigail has expertise in statutory and non-statutory public inquiries, having been appointed as counsel to the Inquiry to both kinds of inquiry.

2016: Appointed counsel to the Inquiry, **Undercover Policing Inquiry** (a statutory public inquiry)

2016: Appointed counsel to the Inquiry, **Independent Inquiry into Child Sexual Abuse, investigation into the late Lord Janner of Braunstone Q.C.** (a statutory public inquiry)

2011: Appointed noting counsel, **The Mid Staffordshire NHS Foundation Trust Public Inquiry, Chair: Robert Francis Q.C.** (a non-statutory public inquiry)

Inquests

In 2017, Abigail was accredited as having attended the Coroners and Inquests course

hosted by the former Chief Coroner of England and Wales, HH Sir Peter Thornton QC, as part of King's College London's MA post-graduate degree programme in Medical Law.

Acted for the daughter of the deceased, Prisoner O, who was terminally ill, in a case referred by INQUEST. Prisoner O died whilst a serving prisoner at HMP Wandsworth. O's daughter contended that HMP Wandsworth had failed to apply on O's behalf for early compassionate release on grounds that O was terminally ill. The inquest took six days in January 2016, convened in the Westminster Coroners' Court sitting at the Royal Courts of Justice. Prisoner O was serving a four-year sentence of imprisonment for laundering millions of pounds generated by dumping building waste in what **the Environment Agency reported was the biggest court case it had ever brought**. A day before being sentenced to four years, Prisoner O had been released from prison after serving for firearms offences.

The inquest gave rise to the only known **ruling** on entitlement of the jury to state their findings in respect of place of death, pursuant to Article 8 of the ECHR. The Coroner agreed with submissions on behalf of the daughter of the deceased: (1) place of death is not always confined to geographical fact; (2) it is open to a jury to record all findings relevant to place of death. The Coroner's ruling established a novel point of law. 'This inquest, with the assistance of four highly experienced counsel, has identified a number of potential issues. The jury has listened to evidence on a number of factors relating to the general circumstances of the last months of O's life. Many of the issues of fact are such that it is not appropriate that they find their way into the jury's conclusions. I have to be satisfied as a matter of law what the evidence permits them to decide. In terms of what the jury is allowed to consider, and whether the evidence permits them to begin such a process, I look at section 5 of the Coroners and Justice Act 2009. [The Coroner read aloud section 5(1)&(2)]. The words "in what circumstances" in section 5(2) is a direct reference to sub-section 5(1)(b) of the Act. They are to be interpreted collectively. In those circumstances, the jury is entitled to look at the "circumstances" of "where" someone came by their death.

In most cases, this would be a simple issue of pure fact: This person died in this location. But in cases where the deceased was a person who was deprived of their liberty, there are cases where the place of death is not where the person might otherwise have died or wanted to die. In cases like this, where someone could have been at home with their family, rather than locked in a cell or guarded by escorts at St George's Hospital, it is properly within the concern of the jury. The jury could properly record this in their conclusion only if they were satisfied there was a delay more than O's mere failure to report. I am satisfied that this is the correct interpretation of section 5. In coming to this decision, I am, of course, mindful of the provisions of section 10(2) of the Act: the need to avoid determining issues of criminal or civil liability.'

Extradition

Abigail has a significant extradition profile.

In June 2017, Edward Fitzgerald QC and Abigail persuaded the Senior District Judge and Chief Magistrate of England and Wales to adjourn the opening of Italian extradition proceedings in the case of Danilo Restivo until circa the year 2050. That year marks the earliest release date of the Requested Person, an Italian national, who is now aged forty-five, and was doubly convicted of murder.

The Italian extradition proceedings followed arrangements in 2013 for **temporary surrender of Restivo to Italy**, for trial, only. The Government of Italy sought Restivo's extradition to serve a 30-year sentence for an Italian murder and for perverting the course of justice. The application was resisted on grounds that Restivo is required by the English courts to serve an English mandatory life sentence, 'at her Majesty's pleasure', having been convicted of the English murder prior in time to the (earlier committed) Italian murder.

Restivo was arrested on an Italian European Arrest Warrant in December 2015.

Edward Fitzgerald, Q.C., Abigail Bright and Emma Scott were instructed for Danilo Restivo by Giovanna Fiorentino, Lansbury Worthington, and appeared at the substantive hearing.

The focus of the extradition proceedings was the statutory power conferred by section 36C of the Extradition Act 2002. Section 36C expressly empowers the Court to order that any extradition order should not be carried out until a sentence imposed in the UK has been served in full.

Mr Restivo's submissions all flowed from the fact that he is at present subject to a sentence of life imprisonment with a minimum tariff of forty years. That sentence arose after Mr Restivo's conviction by a jury sitting at Winchester Crown Court, on 29th June 2011, for **the murder of Heather Barnett**, a murder committed in this country. The sentencing judge passed a whole life order. In September 2012, that sentence was found to have been **wrong in principle** and was set aside. A sentence of life imprisonment with a minimum period of forty years' imprisonment was substituted by the Court of Appeal on 21st November 2012 by a special constitution of the Court of Appeal, Criminal Division, Lord Judge CJ, Hallett, Hughes, Leveson, Rafferty LJJ, reported as [2013] **Q.B. 979**. Mr Restivo's appeal is reported by the learned editors of Archbold at 5-87 as establishing the principle in law that 'the entitlement of a judge to make findings that offences have been committed other than those charged in the indictment (e.g. overt acts committed in the course of a conspiracy) does not extend to reaching a non-jury verdict about allegations put before the jury by way of similar fact evidence, unless, perhaps, the jury must have been satisfied that they were proved, or the defendant has been convicted of them in the past.'

Edward Fitzgerald Q.C. and Abigail Bright appeared at that appeal for Mr Restivo as referral appellate counsel, instructed by Giovanna Fiorentino, Lansbury Worthington.

The sentence Mr Restivo is now serving in the UK predates the conviction and sentence in Italy, in 2013, that resulted in the imposition of a sentence of thirty years' imprisonment for conviction after trial of the murder of Elisa Claps, aged sixteen, committed in Potenza, Italy. Elisa Claps disappeared in September 1993. The trial in Italy is reported **here**.

Fraud

Abigail appears for privately instructing and insurer-funded individuals in various criminal and civil proceedings.

In August 2017, Abigail was co-opted to the Bar working group of the Law Reform Committee of the Bar Council that is responding to the 'financial orders' part of the Law Commission's draft of a sentencing code for England and Wales.

In July 2017, Abigail was instructed by the Institute of Chartered Accountants of England and Wales to prosecute an Institute-registered chartered accountant member. The prosecution entailed a significant forensic history of financial transactions between the defendant registrant and various other parties, client and non-client. A tribunal of the Disciplinary Committee of the Institute acceded to Abigail's submissions that the defendant registrant had

involved himself in financial transactions such as to bring discredit on himself, discredit on the Institute, and discredit on the profession of accountancy at large. The case prosecuted by Abigail against the defendant registrant was that he misrepresented investors as to the success of a company involved in dishonest financial conduct. The prosecution involved consideration of aspects of insolvency law, including two previous bankruptcy orders made against the defendant registrant. The prosecution required that the tribunal of the Disciplinary Committee had the fullest and clearest picture of the chronology of financial transactions conducted by the defendant registrant as detailed by the Chancery Division in a judgment reported as [2013] **EWHC 2232** (Ch), *Stephen Hemsley, RBC Trustees (CI) Ltd v Peter Graham (A Bankrupt), Mohammad Ishaq Malik, Sunil Bance, Antonia Graham/Jones, Wey Bridging Ltd (In Liquidation) Stephen Hemsley, RBC Trustees (CI) Ltd v Christopher Arnold, Sara Meurisse Capital for Enterprise Fund LP, Maven Capital Partners UK LLP, CFE A General Partner Ltd v Mohammad Ishaq Malik, and 11 others.*

In June 2017, Abigail presented a paper to solicitors and other professional clients at the national heads of fraud departments meeting of the national firm, Cartwright King – ‘Issues prior to charge in the context of fraud investigations’.

2016: Instructed to prepare for trial in 2017, Southwark Crown Court, Operation Larkspur [investigation of allegedly fraudulent bills of costs submitted to the Legal Aid Agency arising from recovery of Defendant Costs Orders]: Trial fixture, 10 days, conspiracy to defraud, cut-throat defence between the principal and director of a firm of solicitors.

March to April 2015, Operation Wasabi, boiler room fraud, City of London Police, Southwark CC: Successfully defended RB, a City investment diamond trader, who was acquitted of both counts of boiler room fraud for which he was tried. RB was second of six on the indictment. The cut-throat trial lasted seven weeks. RB was accused of organising an estimated £1.5 million diamond boiler room fraud. RB denied he had had the role and responsibility attributed to him in interview by his co-defendants. Diamond investors lost in excess of £1.5 million after being hounded with "persuasive" and "persistent" calls that insistent investment would reap healthy returns. The trial and convictions of RB's co-defendants was reported in **The Daily Telegraph**.

Confiscation and Ancillary Financial Orders

May 2017 to present: Instructed as referral appeal counsel to advise and appear in referral appeal proceedings for ‘Mr Big’ re appeals against a confiscation order and the use of an EAW to enforce default on payment of that confiscation order. ‘**Mr Big**’ was prosecuted by

the DWP. He was convicted of illegal sale and supply of medicinal products in 2009, extradited from Spain to England, and jailed for ten years, after failure to pay a confiscation order made in 2012 at Southwark Crown Court.

May 2017, Maidstone CC: Application for the confiscation of £462,775.36 **resisted**. An order was made for K to pay a confiscation order of £168,000 – 36% of the amount for which a financial prosecuting authority had applied (£462,775.36). The defendant was multiply convicted. The defence made submissions on how the Court should direct itself regarding those convictions in its assessment of the defendant's evidence on oath in confiscation proceedings - credibility and reliability. The defence had served and filed evidence to show that the contested confiscation order should be made for £161,209.09 plus a further sum to reflect unattributed funds - 96% of the amount ultimately ordered. The learned judge, HHJ MacDonald Q.C., agreed with the analysis of defence counsel and observed that the applicant financial prosecuting authority had significantly revised its position in the course of what was a five-hour contested POCA hearing. The learned judge observed that the Crown had made substantial modifications to its case in the course of the contested hearing. '[...] In their closing written submissions, the Crown further modified their case. They conceded that the interested party, the wife, owned half of the matrimonial home. They abandoned from benefit calculation all the property held by the defendant.'

April to November 2015, Central Criminal Court: Successfully defended M, against whom confiscation proceedings for £34 million were terminated by a final order. Defended M instructed as referral counsel for sentence and confiscation proceedings. **Confiscation proceedings involving a benefit figure of £34 million against M** were terminated. Prosecution of M and other conspirators for drug trafficking had followed a cross-border probe operation into large-scale importation of several Class A drugs, and laundering of proceeds of crime. The Crown's case was that M was a directing mastermind of the conspiracies and she had lived a 'criminal lifestyle' for the purposes of the assumptions in the POCA 2002. Several properties had been rented in M's name, including at The Sloane Club and Cadogan Square. Cash of £2,088,815.00 was found in a kitchen cupboard. Two counting machines were removed from a room at the same address.

Licensing

Abigail acts in applications for licenses to be revoked or suspended. She has a sound and applied knowledge of the Licensing Act 2003 and the Security Industry Authority.

January and February 2017: **Successfully defended** the license-holder, funded by the

venue's insurers, at licensing reviews before two Licensing Sub-Committees. The Metropolitan Police Service contended revocation of the venue license was necessary. The venue was a nightclub. The Committee agreed with submissions on behalf of the license-holder that it would be disproportionate to so order. Police had applied for revocation of the license after a female sustained what Police submitted were 'life-changing' injuries when attacked with a smashed bottle to the face, lacerating the eyes and cheeks.

General Medical Council Regulatory Hearings

Abigail defends doctors.

She advises from the outset of announced or suspected GMC disciplinary action.

September 2016, 5 days: Privately instructed (Kingsley Napley), **successfully resisted erasure from the Medical Register of Dr A** at a hearing before a panel of the Medical Practitioners Tribunal Service. Dr A was before the Tribunal for two instances of dishonesty. The Tribunal agreed with submissions made on behalf of Dr A that the two separate episodes of dishonesty were sufficiently close together in time such that Dr A's dishonesty was not persistent. The Tribunal agreed with submissions made on behalf of Dr A that Dr A's actions were not fundamentally incompatible with his continued registration. The Tribunal agreed erasure would be disproportionate. In considering the length of suspension, the Tribunal accepted that suspending Dr A's registration for three months would satisfy the Tribunal's overarching objective. A longer suspension would risk being punitive.

Referral Criminal and Civil Appeals

Abigail regularly appears both for criminal and civil appellants.

'Hair-in-hand' killer Danilo Restivo allowed appeal, BBC News; **Whole life prison terms upheld by Court of Appeal**, BBC News: Edward Fitzgerald Q.C. and Abigail together appeared at the appeal (September 2012) of Danilo Restivo, whose whole life order was set aside as wrong in principle and replaced with a minimum tariff of 40 years. A special constitution of the CACD decided the appeal: Restivo; Oakes and others [2013] 2 Cr.App.R.(S.) 22, CA (Lord Judge C.J., Hallett, Hughes, Leveson, and Rafferty L.JJ). Submissions on behalf of Restivo are set out extensively in Current Sentencing Practice [Part B B0-15A09: 'Murder: Whole Life Orders']. The principle of law established by Restivo's appeal, per Archbold[5-80], is: '[T]he entitlement of a judge to make findings that offences

have been committed other than those charged in the indictment (e.g. overt acts committed in the course of a conspiracy) does not extend to reaching a non-jury verdict about allegations put before the jury by way of similar fact evidence, unless, perhaps, the jury must have been satisfied that they were proved, or the defendant has been convicted of them in the past.'

January 2015: Instructed in an insurance claim case arising from an organised ring of 'cash for crash' cases: R. (Saleem) v. Serwan and Liverpool Victoria Insurance Services [2015] EWCA Civ. 123. The proceedings concerned committal for civil contempt originally before the High Court, Queen's Bench Division (Mr Justice Lewis) [2014] EWHC 1846 (QB). On appeal, the case was before McCombe L.J. and Lewison L.J

November 2014: Bates v. The Queen **[2014] EWCA Crim 2444**

Murder

In 2014 alone, defended in three murder trials, led at each trial by Joe Stone Q.C.

March 2014, trial of 4 weeks, Leeds Crown Court: Defended AD, first of six defendants on the indictment, who was tried for the **Thorpe House Farm murder** before (now) Lord Justice Simon. The Crown opened its case to the jury that the murder was a vengeful fatal attack in which retribution was sought after AD's son had been teased by two girls at a local horse and country fair. The fatal attack at a Leeds farmhouse started with the theft of a lorry from a location near the scene; the lorry was then used to tear down the gates of a farmhouse with a walled perimeter. The intended murder victim fled the scene, unscathed. The trial was reported in the Yorkshire Evening Post: '**Murderous gang believed they were "untouchable"**'

September 2014, Leeds CC: Defended RG, indicted for murder, also tried for the Thorpe House Farm murder, before Mr Justice Edis.

December 2014: Defended HP who was indicted at the Central Criminal Court for murder. HP, aged 34, a long-serving Indian policeman, acted on morbid jealousy when he **strangled his 21 year-old wife of two weeks after he arrived in Britain to live with her.**

Serious Organised Crime

March 2017, PTPH, trial to be fixed: Instructions to defend X at trial. '**Three held over 'shocking' spray robbery on shop man: Three people have been arrested after a "shocking" robbery in which a shop worker was injured with a spray by balaclava-clad**

attackers.'

April 2017, 5 days, Newcastle Crown Court: Instructions to defend M, indicted with possession of an imitation firearm and harassment.

September 2015, 3 weeks, Oxford Crown Court: Successfully defended W, who was acquitted of counts of conspiracies to rob and falsely imprison. **An alleged co-robber was stabbed to death in the confrontation with the home-owner and a murder trial followed**. Thirteen to sixteen years is the sentencing range, if convicted, where a robbery is committed violently on a person in the home. The jury delivered unanimous verdicts of Not Guilty to both charges against B after four days in retirement. W was tried together with three others. The Crown relied on cell site and telephones evidence to locate the group of four at the scene. The Crown alleged the group, wearing balaclavas, had confronted and rushed a homeowner in hours of darkness, taking cable ties to tie him up, so as to rob and falsely imprison him. B had not commented in interview on his presence at the scene. The fact that the homeowner was confronted by several males was not denied. The uncontested evidence at the trial was that A had purchased a number of balaclavas but four hours before the homeowner was confronted. B's fingerprints were recovered from two of those balaclavas which, the Crown alleged, were used as part of the confrontation.

February 2015, Leicester Crown Court: Defended G, a female, indicted together with 12 others. G pleaded guilty to organising, and herself entering into, sham marriages to help non-European Union citizens avoid UK immigration control. G was sentenced to 12 months' immediate imprisonment.

September 2014, Portsmouth Crown Court: Defended S, a female, who pleaded guilty to causing grievous bodily harm **having thrown caustic fluid at a 22 year-old female** who worked as a waitress. A finding of dangerousness was avoided. Sentence of nine years passed. Mitigation focused on S's vulnerabilities. The Crown opened the case for sentence as follows: '[S] wanted to make her victim "less attractive". She mixed the caustic soda, also known as sodium hydroxide, with water. The level of concentration was viscous, sticking to the skin or any surface in which it came into contact. It was extremely corrosive.'

Police Federation Instructions

Abigail has successfully acted for Police Federation-funded Detective Constables in civil claims brought by officers against their employing Police Forces (instructed by Slater & Gordon).

In 2016, Abigail was instructed in three such claims. All settled, with agreement on costs, to the satisfaction of the claimant police officers.

Investigatory Powers Tribunal

Appeared in the Investigatory Powers Tribunal (July 2015), instructed by George Galloway in three conjoined claims. When the claims were issued, George Galloway was a Member of Parliament. The claims arose from causes of action exposed by leaks emanating from the Edward Snowden disclosures: **(1) Caroline Lucas MP; (2) Baroness Jones of Moulsecoomb AM; (3) George Galloway v. (1) Security Service; (2) Secret Intelligence Service; (3) Government Communications Headquarters; (4) Secretary of State for The Home Department; (5) Secretary of State for Foreign and Commonwealth Affairs** [2015] UKIPTrib 14_79-CH The Tribunal considered the existence and status of the Harold Wilson Doctrine ('the Wilson Doctrine'). This was born out of a statement made on 20 June 1966 by the then Prime Minister to the House of Commons to the effect that the telephones of MPs (later extended to Peers) would not be tapped, i.e. apparently giving to Parliamentarians immunity from interception. The Tribunal concluded that the Wilson Doctrine was not an absolute one. It did not apply to prevent the issue of interception warrants under Section 8(4) of RIPA i.e. as opposed to deliberately targeted warrants under Section 8(1); nor did it apply to incidental interception of Parliamentarians' communications. It further ruled that in any event the Doctrine has no legal effect. However, the Tribunal noted that the SIAs do in fact already have codes and guidance (disclosed in the proceedings), which impose considerable preconditions and precautions before Parliamentarians' communications could be accessed, with which they are obliged to comply. It concluded that the regime for the interception of Parliamentarians' communications complies with the Convention.

Sex

September 2017, Newcastle CC: Rape – knifepoint stranger rape involving the use of a knife. News coverage of this case can be found **here**.

September 2017, Blackfriars CC: Rape – O, a civil servant, was acquitted of the three counts of rape on which he stood trial (vaginal, oral, anal). O's defence at trial, to all three counts, was consent. O's defence case involved extensive preparation of legal argument on the point of evidence of O's bad character. O's counsel, Abigail Bright, successfully opposed the Crown's application to admit evidence of O's conviction for a violent robbery of a sex worker, in her home, of which O had previously been convicted after trial. O had been found guilty of robbery of hundreds of pounds and two mobile telephones from the sex worker, a jury having found that O had tied up his victim and had been stopped by police from fleeing the scene.

November 2017, Durham CC, 5 days: Rape – issue is consent

December 2017, Durham CC, 4 days: Rape – issue is factual denial