



Richard Sutton QC

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Owing to his vast experience and consequential deep understanding of the criminal law and its developments, Richard Sutton QC boasts an extremely strong multifaceted criminal practice defending and prosecuting. He is extremely personable with strong advocacy skills.

His practice includes multi-handed cases of fraud; corporate, Revenue, VAT and Excise Duty, money laundering, confiscation, drug offences, murder, serious sexual offences, firearms and serious offences against the person.

He also possesses years of experience dealing with evidential and procedural issues encountered in serious crime. The non-exhaustive list includes Public Interest Immunity, Legal Professional Privilege, foreign evidence, extradition issues, letters of request, covert police operations, s. 72 SOCPA 2005 evidence, evidence through UK and international television links, vulnerable witnesses, forensic expert evidence (accountancy, medical, scientific), cell-site evidence and entrapment.

His experience also extends to regulatory work, specifically in bar and solicitor disciplinary action and as an adjunct to fiscal and corporate crime.

With a wide ranging criminal practice complemented by Richard's extensive knowledge, he provides a comprehensive service to his clients

Crime

Whilst mainly involved in complex fraud Richard has maintained his practice in general crime. This involves murders, manslaughters and attempted murders; s. 5 Domestic Violence Crime and Victims Act 2004 offences (allowing child or vulnerable adult to die or suffer serious harm); rape and kindred offences; and possession of firearms.

Fraud & Corporate Crime

- **R v Q & Ors (2014)** Prosecution of alleged pension fraud; multi-handed; off-shore companies used to channel funds; whether defendants' scheme amounted to fraud; electronic presentation and iPad; terminating ruling (on the effect of Finance Act 2004).
- **R v Harper & Ors (2012-2014)** Prosecution of multi-handed construction fraud (three consecutive trials); covert listening devices; VAT and Revenue; electronic presentation; first successful trials using i-pads in place of jury bundles.
- **R v Ali (2012)** Gold fraud; import/export of jewellery/gold; evasion of VAT.
- **R v Pearce, Payne & Ors (2012)** Prosecution of multi-handed confidence fraud; defendants persuaded major media companies to send unused DVDs, CDs, videos etc. for destruction and then resold them. Abuse and fitness to be tried issues.

Criminal Insolvency

- **R v Shepherd (2011-2012)** Defending in what was essentially a ticket fraud; defendant sold millions of pounds worth of tickets for Beijing Olympics and Music Festivals but was unable to supply them; adverse publicity; POCA, contempt, SCPO. He was also charged with trading as a disqualified director which involved thorough investigation of his early trading history and previous insolvencies.
- **R v Brady and Brady (2001)** Prosecution of 'Phoenix' fraud: questions of insolvency practice; the role of the Official Receiver; transfer of information from O/R and liquidators to Revenue and Customs; statutory gateways and the admissibility of evidence from Company Director's Disqualification proceedings.

Sexual Offences

Richard has substantial experience in this area as both a barrister and formerly as a Crown Court Recorder with a serious sexual offences 'ticket'. The vast majority of his cases involve offences under the Sexual Offence Act 2003 and earlier legislation.

- **R v A(2015)** Defended historic sex offences of rape and sexual assault over the course of eight years with his former partner; automatism defence that he had been asleep when each incident occurred. Case prepared on the basis that the trial judge had ruled that any such defence would amount to insane automatism and that the matter would go to appeal. The jury acquitted.

Homicide, Drugs and Firearms Offences

- **R v Lovell (2016)** murder by shooting.
- **R v Lawrence (2016)** Defending person charged with failing to protect a vulnerable adult from

death, the murder of whom the prosecution contended was committed by a co-defendant. Whether law (s. 5 Domestic Violence, Crime and Victims Act 2004) sufficiently certain; Art. 7 ECHR and common law. Unduly lenient sentence appeal.

- **R v McAllister (2015)** Cut throat defence in murder trial. Conviction quashed on appeal: at retrial (2017) convicted of manslaughter.
- **R v Hunter (2016)** Gang related murder; DNA, blood spatter and glass fragment expert evidence.
- **R v King (2011)** Defence of Class A drug supplier in Kent; possession of firearms.

Professional Disciplinary & Regulatory

Richard's experience extends to regulatory work, specifically in bar and solicitor disciplinary action and as an adjunct to fiscal and corporate crime.

- **R v Q & Ors (2014)** The alleged Pension Fraud had initially been investigated by the FSA and the Pension Regulator; the participation by and responsibilities of financial advisors and pension administrators under the pension legislation were at the heart of the prosecution case; multi-handed; electronic presentation and i-pads; terminating ruling (on the effect of Finance Act 2004).
- **Re E (Master of the Rolls) (2006)** Representing former solicitor on application before Master of the Rolls following refusal of SDT to re-admit.
- **Re M (2003)** Barrister wasted costs order and on appeal to CCA Feb 2004
- **Y (Solicitors Disciplinary Tribunal) (2002)** Successful response to application to strike off.

Publications, Lectures and Training

Publications

Cross Border Jurisdiction contributor to and editor of Fraud, Law, Practice & Procedure (Lexis Nexis)(2004-7)

Education

Wadham College, University of Oxford

Memberships

Middle Temple

Criminal Bar Association

South Eastern Circuit