



Graham Gilbert

Year of Call: 2015

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Crime

Graham defends and prosecutes across Southern England & Wales, including London. His cases have covered a wide range of criminal offences, including child cruelty, possession of indecent images, cannabis cultivation, burglary and arson. He has also appeared in numerous proceedings concerning the breach of court orders, as well as prosecuting for several regulatory bodies, including the RSPCA, DVLA and TfL. Graham also handles driving offences and POCA cases.

Offences Against the Person

- **R v P (2023):** secured a suspended sentence for a client convicted of attacking a male with a pole in the street.
- **R v Hawley (2023):** secured a three year sentence for a male who led a group attack on two others with a hammer.
- **R v C (2023):** secured a suspended sentence for a male charged with strangling his partner.
- **R v McD (2023):** persuaded the Crown to accept a restraining order on acquittal for a client charged with racially aggravated offences.
- **R v Pitcairn (2023):** appeared for a male who stabbed a sleeping man.
- **R v M (2023):** secured the acquittal of a young mother charged with stabbing her partner in the back.
- **R v R'I (2023):** represented a youth charged with GBH as part of a large scale disorder.
- **R v J (2023):** secured a suspended sentence for a male charged with multiple offences against his ex-partner, including making threats to kill her to Hampshire Police.
- **R v KJ (2022):** junior for the second defendant in a drug-related killing in Basingstoke.
- **R v D (2022):** represented a client charged with various offences of violence. Following mitigation, the Defendant received a suspended sentence.
- **R v M (2022):** secured a suspended sentence for a man who blinded another during an assault on school property.
- **R v L (2022):** persuaded the prosecution to discontinue an alleged offence of assault in a "road-rage" incident.
- **R v C (2022):** secured the acquittal of a male charged with stabbing his girlfriend.
- **R v Baker (2021):** represented a male charged with various offences involving the alleged use of a harpoon.
- **R v W (2021):** appeared for a lead defendant in a multi-handed violent disorder matter arising from a Chelsea v Tottenham football match. The incident took place on a major London street.
- **R v B (2020):** junior for the first defendant in a multi-handed matter arising from death by neglect in a care home. The Crown discontinued the case against the defendant on day two of the trial
- **R v Taylor (2020):** junior for the third defendant in a multi-handed murder and robbery trial.
- **R v C (2020):** represented a male charged with making threats to kill. Successfully acquitted having contended that, whilst the threats were made, there was no intent behind.

- **R v G (2020)**: client charged with affray resulting from a football-related incident at Clapham Junction Station. Successfully persuaded the Court that a Football Banning Order was not justified.

Sexual Offences

- **R v A (2024)**: successfully defended a man of previous good character charged with multiple sexual offences against the same woman in late 2015. He was alleged to have lured the woman to his flat, blindfolded her, and then committed numerous offences against her. After Graham's closing speech, the jury unanimously acquitted in under 2 hours.
- **R v N (2024)**: appeared at trial – and secured the acquittal of – a male charged with a sexual assault at Boomtown Festival.
- **R v P (2023)**: appeared at sentence for a male charged with possessing indecent images of children. Suspended sentence secured.
- **R v S (2023)**: represented a client charged with rape. After representations, the Crown accepted a plea to sexual assault.
- **R v W (2023)**: secured a suspended sentence for a male charged with attempting to sexually communicate with a child.
- **R v J (2023)**: sexual assault trial before Southampton Crown Court.
- **R v Davidoff (2022)**: successfully persuaded the Court of Appeal to overturn elements of a Sexual Harm Prevention Order.
- **R v T (2022)**: represented a male charged with familial child sex offences before Portsmouth Crown Court.
- **R v C (2022)**: secured a suspended sentence for a defendant charged with historic child sex offences.
- **R v T (2022)**: represented a client charged with a sexual assault on a New Years' night out.
- **R v Medway (2022)**: represented a well-known male sexual offender on the Isle of Wight.
- **R v A (2022)**: appeared for a defendant charged with sexual assault. The Crown discontinued the proceedings.
- **R v C (2022)**: client charged with exposure at a window of his property.
- **R v Tickner (2021)**: historic offences of indecency with children before Norwich Crown Court. The vulnerable defendant was sentenced to a community order following representations.
- **R v P (2021)**: successful defence of a male charged with sexual assault in a nightclub.
- **R v Elms (2021)**: appeared at sentence for a defendant who had sexual assaulted children whilst working as a nanny.
- **R v Smith (2021)**: looked after a vulnerable defendant with extensive mental health charged with multiple counts of exposure. At the sentencing hearing, a conditional discharge was achieved for the young man.
- **R v W (2020)**: appeared for a young male charged with sexual communication with a child offence before St Albans Crown Court. After a lengthy sentencing hearing, a suspended sentence was secured for the client.
- **R v Town (2020)**: secured a suspended sentence for a male charged with sexual communication with a child before Newport Crown Court (IOW).

Dishonesty Offences

- **R v T (2024)**: successfully persuaded the Court of Appeal to allow a suspended sentence to stand for a third strike burglar.
- **R v MKI (2024)**: appeared as junior for the Crown in the successful prosecution of a nationwide identity theft fraud.
- **R v S (2022)**: represented a defendant charged with thefts from Mini dealerships across the South-West.
- **R v J (2021)**: successful defence of a man charged with money laundering offence following a three week trial at Snaresbrook Crown Court.
- **R v D (2022)**: DPD driver charged with fraud by not delivering parcels. After argument, the Crown discontinued the case on day 1 of trial.
- **R v H (2021)**: represented a vulnerable, young defendant charged with defrauding a young man with mental health challenges. After representations, the Crown discontinued the case
- **R v MST (2021)**: appeared for a defendant in a multi-handed, nationwide fraud against bookmakers.
- **R v DNP (2021)**: appeared for the third defendant in a multi-handed robbery trial. After cross-examination of the

complainant based on careful consideration of the unused material, the Crown dropped the case against all the defendants.

- **R v Randhawa (2020)**: junior for the defence in a 3-and-a-half week trial at Wolverhampton Crown Court where the case against the defendant concerned extensive documentary evidence from the nursery she ran

Drugs Offences

- **R v R (2023)**: appeared with a male described a "trusted middleman" in a country-wide drug supply operation.
- **R v P (2023)**: Operation Venetic Prosecution.
- **R v L (2023)**: represented a male in an Operation Venetic prosecution for offences concerning the importation and distribution of cocaine.
- **R v HR (2022)**: represented a male charged with supply offences. The Crown were persuaded to accept simple possession matters.
- **R v F (2022)**: represented a defendant charged with large scale cannabis dealing in Wiltshire.
- **R v O (2021)**: appeared on behalf of a young man charged with drug dealing offences. The Crown were persuaded to accept pleas to simple possession.
- **R v H (2020)**: represented male charged with being a key component in a county lines drug operation. Secured a suspended sentence following a guilty plea.
- **R v L (2020)**: represented a youth at Ipswich Crown Court charged with multiple drug-related offences. The Crown eventually offered no evidence following representations.

Miscellaneous Offences

- **R v Robinson (2024)**: Graham appeared for the a young defendant charged with offences under the Terrorism Act 2000 and Firearms Act 1968. Following mitigation, a sentence of 6.5 years was handed down.
- **R v Edmonds (2023)**: appeared for a male charged with perverting the course of justice by depositing a man in a bin.
- **R v Daniels (2023)**: represented a male who broke into Marwell Zoo during the COVID lockdown.
- **R v B (2023)**: persuaded the Crown to issue a caution for human trafficking and drug-dealing offences
- **R v R (2023)**: appeared for a client who was not fit to stand trial for arson offences.
- **R v A (2022)**: appeared for a defendant with mental health difficulties charged with arson.
- **R v B (2021)**: represented a defendant for escaping lawful custody. He had escaped from HMP Ford

Regulatory Offences

- **R v Skelton (2023)**: successfully prosecuted a defendant builder charged with multiple offences arising from his work.
- **R v Bodie (2022)**: appeared successfully for the prosecuting authority in a case concerning multiple offences of fraud by a local builder.
- **R v Lankshear (2022)**: successful prosecution on behalf of a Local Authority of two traders for a variety of offences.
- **R v B (2022)**: represented a local council in a prosecution for tenant-related offences.
- **R v STC (2021)**: appeared before the Court of Appeal (and the Crown Court) for an unusual prosecution under the Knives Act 1996. It was the first time the Court of Appeal had considered the legislation.
- **R v B Ltd (2021)**: provided advice during the interview phase of an investigation by a Local Authority into a workplace accident. The advice resulted in the defendant company being issued with a caution only.
- **R v Buggins (2021)**: prosecution of a gas engineer for fraud offences.
- **HSE v Cutler (2021)**: looked after the company and director following an accident at work which left a worker with a broken spine.

- **R v TRAMO (2021)**: appeared for a local authority in the prosecution of a multi-national logistics company.
- **R v c5BC (2020)**: appeared for the defendant company for allegations contrary to the planning regulations.
- **R v Hutton (2020)**: represented a builder throughout proceedings before Portsmouth Crown Court. This included at the sentencing hearing, at which the defendant received a suspended sentence.
- **R v GST (2020)**: represented a turkey farmer charged with various food hygiene-related offences.
- **R v C (2020)**: appeared for a defendant charged with consumer protection offences regarding his work as an electrician. A financial penalty was secured.
- **R v CM (2020)**: appeared on behalf of a local authority charging multiple owners of an Indian Restaurant with several breaches of a prohibition order.
- **R v Gateway (2020)**: represented a local authority in a successful prosecution of a multi-national company.

Articles

In the context of the lockdown set down in The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, 3PB criminal barrister Graham Gilbert reviews the concept of "reasonable excuses" and when it is acceptable to leave your house.

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Graham Gilbert examines the relevance of a proposed amendment to the Offensive Weapons Bill currently making its way through Parliament, which will seek to introduce "Knife Crime Prevention Orders".

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3PB's criminal law barrister Graham Gilbert explains the details of the cases involving Lavinia Woodward and Natalia Sikorska.

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3PB's Graham Gilbert on speeding convictions, avoiding them and their consequences. Graham Gilbert examines the recent sentencing decision of a man who used a device to avoid detection by police speed traps and asks if the penalty handed down was justified.

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3PB's Graham Gilbert examines the trend for lesser sentences in offences of reckless arson.

Two recent appeals against sentences passed for offences of reckless arson have been successful and the sentences passed in each case have been reduced. It appears that this represents a growing trend for lesser sentences for this offence.

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3PB's Graham Gilbert examines the Attorney General's "imminent threat" criteria in the use of pre-emptive strikes. The Attorney General has said that the UK may use a preemptive attack against would-be terrorists in self-defence if an attack is "imminent". Graham Gilbert questions whether this is the best choice, given the difficulty the criminal courts have had with the concept.

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Recommendations

Graham Gilbert – 3PB 'Graham is a hard-working and highly effective advocate. He is extremely bright, and his case preparation is second-to-none.'

Legal 500 2025/Crime (General and Fraud)/ Leading Juniors/ Western Circuit

"Graham Gilbert recently represented our son in Crown Court hearing in Portsmouth. We met Graham on the day of the hearing, and he immediately put us at our ease. He provided us with clear information on what was happening and stayed in touch with us throughout the day (when the hearing wasn't taking place) keeping us updated on the inevitably slow, court proceedings. After the hearing, when we could speak with our son, our son told us how helpful and clear Graham's advice had been. Being at your son's Crown Court hearing is a stressful event but we were in great hands and Graham's counsel got our son the best result at court. Graham is an excellent barrister and we have no hesitation in recommending him." - **Client**

"Just wanted to thank you for all of the hard work you put into what turned out to be a far from straightforward case! I could not have asked for a more thoroughly prepared case and very impressive legal argument which eventually lead to an excellent case outcome. Your client care was first class and I appreciated the ease and speed with which I could reach you for advice." - **Instructing solicitor feedback**

"I am so grateful to you and Graham for all your help. You are absolutely right, its a great outcome and the legal advice and support made all the difference. Graham Gilbert was excellent." - **Client feedback** to instructing solicitor.

"Graham Gilbert was very professional and charming. Would recommend him highly." - **Client feedback** to instructing solicitor.

"Once again thank you for all your thorough help in this successful prosecution and the hours of hard work sifting through the late disclosure of the evidence bundle the night before trial." - **Feedback from Environmental Health Officer.**

Academic qualifications

- BPTC - City Law School - Very Competent
- GDL - City Law School - Commendation.
- BA Hons Ancient History - University of Exeter - 1st Class

Scholarships

- City Law School: 7 Bedford Row Criminal Law Prize Essay
- University of Exeter awarded a Dean's Commendation for "outstanding academic achievement"

Professional qualifications & appointments

- CPS Prosecutor - Grade 3

Professional bodies

- Western Circuit
- Sport Resolutions Pro Bono Panel
- Criminal Bar Association
- Bar Pro Bono Unit
- Health & Safety Lawyers Association (HSLA)