

# Rebecca Upton

Call 1999



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Rebecca practises in the Crown Courts of the South East of England dealing with the most serious allegations. She also has significant experience in the Court of Appeal, civil and criminal applications made by the police, and inquests.

## Expertise

### Crime

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Rebecca has a very strong criminal practice and undertakes work in all areas of criminal law including murder, manslaughter, death by dangerous / careless driving, serious violence, sexual offences (including rape and possession of indecent images), drugs, fraud and arson.

Rebecca has been instructed as leading junior and has been led on many occasions. She is often involved in multi handed cases and has particular experience in questioning expert witnesses. She also has regular instructions in cases involving vulnerable clients and witnesses, including those who need intermediaries, and those who are very young or mentally unwell.

## Notable Crime cases

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### Fatal and Serious Violence

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#### R v RB [2023] Lewes CC

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Sole counsel, RB was charged with the attempted murder of his wife, by attempting to smother her and then kill himself. After successfully having RB transferred from prison to hospital the CPS were persuaded to stop the case against RB.

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#### R v TW [2023] Croydon CC

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TW was charged with s18 GBH by allegedly stabbing another male in the face. TW disputed the identification evidence, and although the application to dismiss did not succeed the Prosecution offered no evidence shortly afterwards based on those submissions.

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#### R v JB [2023] Lewes CC

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Junior counsel, JB was charged with other with murder, after having attended a rural location in a bid to steal cannabis. The Prosecution were persuaded to drop the count of murder and accept a plea to conspiracy to steal.

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#### R v LK [2023] Portsmouth CC

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LK was charged with s18 GBH having punched a take away owner causing him to fall and sustain serious head injuries. The CPS eventually accepted a plea to section 20 GBH.

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#### R v CB [2022] Lewes CC

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CB was charged with 7 counts of child cruelty. The police attended the home address and discovered some of the children and a large number of dogs in a house which was filled with faeces and mouldy food. The children had suffered significant physical and mental trauma from the conditions they had been kept in.

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#### R v GM [2022] Hove CC

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Sole counsel, GM was charged with the attempted murder of his wife by striking a number of blows to her head with a hammer in their home. GM had a significant medical history and a number of expert reports were obtained, He was found unfit to plead and a trial of the act took place. GM was made subject to a hospital order.

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#### R v MB [2022] Winchester CC

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Sole counsel, MB pleaded guilty to manslaughter, having caused the death of his infant son 4 years before by \_\_\_\_\_

shaking him. The Prosecution appealed the sentence imposed as unduly lenient.

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R v KN [2022] Lewes Crown Court

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KN was charged with attempted murder. He stabbed his partner multiple times before being restrained until the police arrived. After representations were made to the Prosecution a plea to section 18 wounding was accepted.

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R v KC [2022] Hove Crown Court

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KC was charged with another of cruelty to a child. The defendants blamed each other. This case involved consideration of voluminous disclosure from the family court proceedings, as well as third party material.

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R v AW [2021] Portsmouth Crown Court

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Junior Counsel, AW was charged with the murder of a neighbour by setting him on fire. The 2 men were in a dispute over money when the attack occurred outside the victim's home. AW denied that he had intended really serious harm.

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R v NS [2021] Chichester Crown Court

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NS was accused of stabbing his on/off partner and then threatening to kill her. He denied that he had injured her at all, and stated that she had caused the injuries to herself.

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R v CC (2021) Lewes Crown Court

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Junior counsel, CC was accused of murdering his girlfriend whilst they were on a camping trip. There was no ascertainable cause of death.

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R v JB [2021] Hove Crown Court

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JB was charged with causing grievous bodily harm with intent (stabbing) with others, although he was tried alone.

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R v WM [2021] Brighton Crown Court

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Junior Counsel – WM was charged with murdering his partner at her home during lockdown.

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R v LH [2019] Lewes Crown Court

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Leading counsel for LH who was charged with attempted murder of his partner in her home.

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R v TH [2018] Hove Crown Court

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Leading counsel on an attempted murder, involving 5 co-defendants, acting for the first defendant.

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R v MJ [2018] Brighton Crown Court

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MJ was charged with throwing ammonia in the face of his ex-partner, and associated offences of violence against her.

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R v JW [2017] Hove Crown Court

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JW was charged with transferring a firearm and ammunition, linked to a conspiracy to murder over a drug debt.

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R v JE [2016] Lewes Crown Court

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JE was charged with 3 others with s18 GBH on an inmate when they were all housed at HMP Lewes.

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R v AK [2016] Lewes Crown Court

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Sole counsel, AK murdered his landlord after an argument between them at home.

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R v JB [2014] Hove Crown Court

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Junior counsel on a multi handed murder of an antiques dealer who had been tortured in order to locate a diamond.

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R v SJ [2013] Lewes Crown Court

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Junior counsel on a two handed murder, a stabbing during an arranged fight.

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R v DB [2013] Hove Crown Court

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Multi handed section 18 which resulted in a quadruple amputation

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R v SW [2005] EWCA Crim 1337

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Alibi, fabrication of evidence, legal advice privilege, police interviews, rebuttal evidence, waiver (reported)

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Drugs

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R v JB [2023] Hove CC

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JB was charged with 5 others with the exportation of kilos of class A drugs disguised as beauty products to the USA and Australia. The Prosecution were persuaded to accept a plea to assisting an OCG.

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R v SA [2023] Snaresbrook CC

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Counsel instructed for a Newton hearing in a case where SA had pleaded guilty to 2 counts of conspiracy to supply over 100 kilos of class A drugs as part of a gang over a period of 4 years.

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R v DM [2023] Maidstone CC

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DM pleaded guilty on a basis to being concerned in the supply of cannabis and production of cannabis, after a large farm was discovered on the land he lived on.

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R v KO [2022] Lewes CC

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KO was charged with others with conspiracy to supply class A drugs. A lengthy delay between her plea and sentence led to submissions that she should not be sent to prison, and a suspended sentence was imposed.

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R V JP [2022] Lewes Crown Court

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JP was alleged to be involved in a drugs conspiracy by providing logistical support to a gang by hiring vehicles for them. JP denied that he had any involvement in the supply of drugs, but accepted being a user who purchased from those involved. Careful analysis of the phone evidence led the Prosecution to offer to evidence.

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R V SG [2021] Portsmouth Crown Court

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SG denied being involved in supplying drugs despite being found in a car where drugs were present, with her boyfriend who pleaded guilty. After serving a detailed defence statement the Prosecution offered no evidence.

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R V IC [2021] Guildford Crown Court

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IC admitted supplying class A drugs for a second time. Careful mitigation ensured he was sentenced to a lesser term of imprisonment than suggested by the Guideline. POCA proceedings followed, where the Prosecution accepted submissions on the assets and available amount, lowering both figures significantly.

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R v KD [2021] Lewes Crown Court

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KD admitted her role in a large drug supply. Due to careful representations on her role in the offence, and the reasons behind her involvement she was sentenced to a shorter term of imprisonment and the Prosecution were persuaded to discontinue POCA proceedings against her.

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R v JD

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JD admitted being involved in a year long conspiracy to supply class A drugs with others. Despite his late guilty plea he was sentenced to a term of imprisonment that the Attorney General referred to the Court of Appeal. The Court refused the application to increase the sentence and found that it was not unduly lenient.

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R v IE [2021] Lewes Crown Court

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IE admitted her role in a conspiracy to supply drugs on a basis at an early stage. The Prosecution were persuaded to accept this and as a result she was sentenced at a much lower level than was suggested at the outset.

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R v JM [2016] Lewes Crown Court

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JM was charged with supplying class A drugs to his girlfriend, who subsequently died as a result of taking them.

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R v SH [2017] Lewes Crown Court

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SH was charged with 2 others with running an industrial style cannabis factory in a shed in her garden.

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R v TM [2012] Lewes Crown Court

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Importation of 1.8 tonnes of cannabis from South Africa, defendant with serious mental health issues.

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Sexual Offences

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R v WB [2022] Lewes Crown Court

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WB was accused of publishing an obscene article based on WhatsApp communications that were sent to the NCA by an anonymous source. Representations were made to the Prosecution resulting in them offering no evidence.

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R v KR [2022] Lewes Crown Court

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KR is a doctor who admitted sexually assaulting a co worker on duty. Having heard full mitigation KR was made subject to a community order.

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R v ST [2022] Hove Crown Court

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ST was accused of failing to comply with notification requirements on release from prison. He denied that he had been informed of them and staff from the prison were cross examined to this effect.

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R v JM [2021] Lewes Crown Court

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Defended JM who was charged with sexual offences against 2 strangers on the same night.

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R v AH [2021] Hove Crown Court

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AH was charged with rape, sexual assault, and threats to kill in a domestic setting. A detailed section 41 application had to be made.

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R V PH [2020] Hove Crown Court

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PH was accused with another of allowing her children to be sexually abused and performing sexual acts in front of them.

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R v GA [2016] Lewes Crown Court

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Leading junior in a multi defendant, multi count, rape indictment likened to the Rotherham grooming case.

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Modern Slavery

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R v SSH [2023] Portsmouth CC

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Leading junior in a two handed trial where SSH was charged with holding her husband in modern slavery by neglecting his care needs, limiting the occasions he was taken out of the house, and controlling the contact he had with others over a 4 year period. This Prosecution was the first of its kind. SSH was also charged with aiding and abetting a care worker, theft and fraud.

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## Business Crime & Fraud

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Rebecca has been regularly instructed in high value fraud cases throughout her career as the sole advocate and

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leading junior.

## Notable Business Crime & Fraud cases

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### R v DD [2021] Southwark Crown Court

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DD admitted 2 counts of fraud dating back 6 years, causing a loss of over £600,000. He informed the victims he was using their money to purchase carbon credits when in fact he was funding his high level drug misuse. Careful mitigation reduced the sentence to one below the Guideline figure.

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### R v OB [2019] Brighton Crown Court

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OB, a female of good character, was charged with facilitating money laundering of over £100,000.

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### R v LR [2017] Lewes Crown Court

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LR was charged with defrauding the company she worked for out of over £200,000.

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### R v PH/JW [2010] Brighton Crown Court

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multi count benefit fraud where the defendant had been a police informant.

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### R V PH [2008] Hove Crown Court

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Leading counsel for a property developer accused of defrauding the NHS of millions of pounds through the sale of an unused asylum

## Asset Forfeiture & Civil Recovery

Rebecca has represented and advised lay defendants and Sussex and Surrey Police in applications for forfeiture of sums seized.

## Notable Asset Forfeiture & Civil Recovery cases

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### R V JC [2021]

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JC was a 17 year old who was arrested but not charged. The police applied to forfeit the money seized from him. The application was contested, requiring legal argument and the calling of evidence.



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R v DC and SC [2020]

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Police application to forfeit cash seized.

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R v MP and RP [2020]

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Police application to forfeit cash seized during a search of the defendants' home.

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## Public Law

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Rebecca has been instructed by relatives, police authorities, educational establishments, medical professionals and local councils to represent their interests at Inquest.

### Notable Public Law cases

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Represented British Transport Police following a hanging from a railway bridge in London.

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Represented Sussex University after a student committed suicide off campus.

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Represented Brighton and Hove City Council, who employ staff concerned with the care of a lady who passed away in hospital.

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Represented the family of the deceased, who had been unsupervised when he choked to death whilst eating at the care home he resided at in East Sussex.

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Represented the family of the deceased, who had died following a cardiac arrest at home shortly after complaining to 2 GPs that she felt unwell.

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## Professional Regulation

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Rebecca has undertaken work for the Nursing and Midwifery Council in relation to interim order and substantive order applications.

Recently she acted for the British Horse Racing Association.

## Education

- BA (Hons) Law and History

## Memberships

- CBA member
- South Eastern Circuit member
- Sussex Bar Mess member

## Recommendations

### 2024

Chambers & Partners

Crime (South Eastern Circuit) *"Rebecca is a very experienced and capable barrister with many outstanding results."*

*"Rebecca hits the spot with juries and is tenacious in her desire to put her client's case."*

Ranked: Band 2

Legal 500

Crime (South Eastern Circuit)

Ranked: Tier 2

### 2023

Chambers & Partners

Crime (South Eastern Bar)

*"Rebecca is so tenacious and strong in her preparation."*

Ranked: Band 2

Legal 500

Crime: *"Rebecca is thorough in preparation and drafting skeleton arguments and presenting high-quality legal arguments. She quickly grasps the issues in the cases and demonstrates a detailed knowledge which strengthens her examination of the evidence and advice provided to the clients. Her advocacy skills are very strong."*

Ranked: Tier 2

## 2022

Chambers & Partners

Crime: *"Whether she is prosecuting or defending, she does it with the same fervour and determination."*

Ranked: Band 2

Legal 500

Crime: Ranked Tier 2

## 2021

Legal 500: *"She is a very meticulous advocate with a very thorough preparation process."*

## 2020

Chambers & Partners: *"She's very good at adapting her style to the case she's handling."*

## 2019

Chambers & Partners: *"She has a brilliant style in court and a very attractive way of presenting information."*

Legal 500: *"She is always thoroughly prepared and has a very good rapport with other advocates and judges."*

## 2018

Chambers & Partners: *"She has developed a strong reputation for her adroit handling of cases with vulnerable complainants, defendants and witnesses, especially those who suffer from mental illness."*

Legal 500: *"She is a conscientious advocate."*

# Appointments

- Sport Resolutions Safeguarding Case Management Panel (SCMP)

# Awards

**Chambers**  
RANKED IN  
**UK**  
**Bar**  
**2024**

**Mountford Chambers**



# Chambers

RANKED IN

# UK

# 2023

# Mountford Chambers

