



# Marguerite Russell

YEAR OF CALL: 1972



Marguerite Russell has a wide-ranging criminal practice and is regularly instructed to lead in complex criminal cases. She has built up considerable expertise in all current areas of expert evidence such as DNA, cell-site, firearms, computer systems, handwriting, psychiatric evaluations, drug trace evidence.

She has acted as Leading Junior in a significant number of high profile trials. The range of her defence work includes murder, attempted murder, manslaughter, wounding with intent, riot, and serious frauds, including multi million pound internet and carousel frauds and bribery and offences under the Modern Slavery Act, as well as major drug cases of importation and supply

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## CRIMINAL DEFENCE

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Marguerite is regularly instructed to lead in criminal cases, including murder, fraud, large scale drugs importation and supply. Marguerite represents clients across the social spectrum and will represent all who come to her fearlessly.

She is noted as a gifted cross-examiner both with expert witnesses and others. She has a particular interest in areas of expert evidence such as DNA, cell-site, firearms, computer systems, handwriting, psychiatric evaluations, drug trace evidence etc. and enjoys keeping up to date with forensic techniques and research. Her attention to details, especially regarding disclosure, has led to acquittals in a significant number of cases.

Marguerite has undertaken training and has trained others in cross-examining Vulnerable Witnesses. She is very experienced and is highly skilled in cross-examining witnesses, ranging from experts to the very young or vulnerable.

### NOTABLE CASES

Marguerite has throughout her practice successfully appeared in cases that have received national media attention. Examples are:

#### ***R v Khalef and others - Central Criminal Court***

Marguerite acted as Leading Junior successfully secured an acquittal for a defendant acquitted in the "Ricin" terrorism case- the so-called Ricin Plot. An alleged Muslim fundamentalist plot to poison an infinite number of civilians. The first major post 9/11 "terrorism" trial in the UK. This case was reported by [Fox News](#).

#### ***R v Murphy and others, Central Criminal Court***

Conspiracy to Cause Explosions- Marguerite successfully acted as Leading Junior successfully secured an

acquittal an alleged IRA terrorism case. This case was reported in [The Independent](#).

### ***R v O'Dhuibhir and Sherry, Woolwich Crown Court***

Known as Whitemoor Prison Escape. Marguerite successfully acted as one of the counsel who got the trial stayed for abuse as a result of prejudicial press coverage in the Evening Standard of defendants involved in an alleged IRA escape from prison.

More information is available on the [Government website](#).

### **Strangeways Prison Riot Trial, Manchester Crown Court**

Acted as leading counsel in this prison riot case, which was Described as the worst prison riot in the UK. This case was reported in [The Guardian](#).

### ***R v Barber and others (1985), Sheffield Crown Court***

The Orgreave Miners Trial - the major trial arising out of the miners strike. As a result of defence cross-examinations of police witnesses based in part on defence photographic materials the Crown discontinued the trial and dropped the charges during the prosecution case. More information can be found on the [BBC website](#), [The Guardian](#) and [Channel 4 created a documentary series on the trial](#).

### **The Bradford 12 Conspiracy Trial, Leeds Crown Court, 1982**

Acted as counsel in a 9-week trial, where 12 Asian men, known as the Bradford 12, were acquitted of charges of making explosive devices with the intent to cause damage to property and persons. The case received national media coverage.

### ***R v Thorne (1977) 66 Cr App R 6. Re.***

One of the early supergrass cases. More information can be found on the [Rahman Ravelli Solicitors' website](#).

### **Notable cases: Violence (including murder and sexual violence) / against the person / firearms**

#### ***R v Berhe and others*, to be tried in September - October 2018**

Kidnap, False Imprisonment and S18 wounding.

#### ***R v Brzezinski and others* 2019**

Modern slavery case involving in excess of 50 complainants. Defendants all of the Roma community and complainants vulnerable Polish men and women.

#### ***R v Rizwan and others***

Possession of Firearms and ammunition (including a loaded machine gun)

Successfully secured acquittal

***R v Zareiand others***, Chelmsford Crown Court

Grooming, Rape, Drugs Supply. Successfully secured acquittal. Case was widely reported in the media.

***R v Hunter***, Harrow Crown Court

Successfully secured acquittal for nurse accused of child cruelty

***R v Forouharand others***, Isleworth Crown Court, 2015

Kidnap, False Imprisonment S18. Successfully secured an acquittal as a result of exposing disclosure failures

***R v Stevens***, Wood Green Crown Court

Successfully secured acquittal for defendant accused of possessing firearm and ammunition and Class A drugs

***R v Bose***, St Albans Crown Court

Sexual Assault. Successfully secured acquittal for teacher accused of assaulting a pupil

***R v Caton and others***, Central Criminal Court, 2014

Gang-related murder at Westfield Centre Stratford

***R v Speede and others***, Southwark and Croydon Crown Courts

Kidnap, False imprisonment. Successfully secured acquittal. First trial stopped as a result of failures of disclosure exposed by counsel,

***R v M Walsh***, Croydon Crown Court

Allegation of Attempted murder by stabbing. Successfully secured acquittal

***R v C D'Aguiar***, Woolwich Crown Court

Allegation of an Attempted murder by shooting. Successfully secured acquittal.

### **Serious driving offences, S1 Road Traffic Act**

***R v Khan***, Inner London Crown Court

Manslaughter. Successfully secured acquittal on Manslaughter as a result of legal argument that secured acceptance of defendant's plea to a count of Death by Dangerous Driving.

***R v Petherick (Rosie Lee)***, Court of Appeal (Criminal Division) reported case

Death by Dangerous Driving. Successfully Appealed Length of sentence for young mother in drink driving case based on Convention Rights /Family Life

### **Drug offences**

Marguerite has built up considerable expertise in serious drug cases over the years and has acted in a number of large-scale seizures.

***R v Richards***, Woolwich Crown Court

Conspiracy to supply Class A drugs - Cocaine and heroin

***R v Paul Lenton***, Southwark Crown Court

Conspiracy to supply Class A drugs (cocaine)

***R v Alimahdi***, Bristol Crown Court

Conspiracy to supply class A. Successfully secured acquittal.

***R v Rowles, Croydon Crown Court***

Marguerite successfully secured acquittal in a drugs conspiracy allegation of cocaine supply at Croydon Crown Court. The crown offered no evidence, after Section 8 disclosure applications were served on them on the first day of trial.

***R v Russell Knaggs and others [Operation Dearly]***, Birmingham Crown Court

Marguerite acted as leading junior for the first named defendant in a six-handed conspiracy investigated by the Serious Organised Crime Agency. It was alleged that the defendants conspired to import up to five tonnes of cocaine from South America to the United Kingdom in a number of separate enterprises. The trial lasted six months.

***R v Dennis Kelly***, Liverpool Crown Court

Marguerite acted as Leading Counsel at in a £166 million cocaine importation conspiracy

***R v Ward, Woolwich and Norwich Crown Courts (Trial and Retrial)***

Marguerite acted as leading junior and successfully secured an acquittal. Her cross-examination, according to a well-respected international expert, revealed more information regarding covert recording systems than had ever before been disclosed in any court and it led to a Crown expert admitting that he had misled a defence expert.

## **FINANCIAL CRIME AND CONFISCATION**

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Marguerite has built up considerable expertise in fraud cases involving money laundering and frauds including carousel, internet and false trading frauds. She also undertakes work in other areas of dishonesty allegations.

## **NOTABLE CASES**

### ***R v Kezlyte and others***, Croydon Crown Court

Acted as Leading Junior in large-scale fake marriage case

### ***R v Walzack and others***, Harrow Crown Court

Successfully secured acquittal in Conspiracy concerning alleged clothing thefts of 100k+ by employee

### ***R v Barkauskas and others***, Snaresbrook Crown Court

Conspiracy to Receive Stolen Goods (involved high end motor vehicles)

### ***R v Leather and others***, Ipswich Crown Court.

Five-handed conspiracy to defraud. Trading standards investigation into the activities of commercial water supply company. Allegations that company employees were engaged in widespread and systematic fraud.

### ***R v Abdi Rahman and others***, Southwark Crown Court

Acted as Leading Junior and successfully secured acquittal in a case involving international bribery allegation concerning a UK company

### ***R v Alonge and others***, Snaresbrook Crown Court

Acted as Leading Junior. Allegation of multi-million pound internet fraud and money laundering conspiracy. Successfully got charges reduced.

### ***R v Milka and others***, Croydon Crown Court

Acted as Leading Junior -in a multi -million pound internet fraud and money laundering conspiracy involving use of a Trojan worm.

### ***R v Gaisie and others***, Kingston Crown Court

Cash in Transit Robbery case. Losses valued at over £100,000.

### ***R v Smythe and others***, Snaresbrook Crown Court

Acted as Leading Junior in a multi-handed conspiracy to handle stolen scrap metal consisting of the theft of many hundreds of vehicles. A case in which the conduct of the prosecuting authority resulted in the Crown offering no evidence after five-day disclosure application in which serious and systemic failing of the disclosure regime were exposed. Later privately instructed by the Legal Services Commission and successfully recovered substantial costs against the Crown Prosecution Service.

***R v Salmon and others***, Isleworth Crown Court

Large Scale Commercial theft.

***R v Pearson***, Manchester Crown Court

Acted as Leading Junior for the first defendant and successfully secured an acquittal in the largest advance fee fraud to occur in Manchester.

## **TRAFFICKING AND MODERN DAY SLAVERY**

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Marguerite has particular expertise in this area and was involved in the very first case under the 2015 for Breach of a pre-trial Order under the Modern Slavery Act.

### **NOTABLE CASES**

***R V Brezinski***

***R v Nguyen and others***, Stafford Crown Court

This case is now the subject of a TV documentary.

***R v Kamal and others***, Southwark Crown Court

Large-scale people smuggling case. Marguerite acted as Leading Junior.

***R v Chun Yu and others***, Southwark Crown Court

Large-scale people smuggling case

## **PRO BONO WORK**

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*Robichaud v Department of Defence CHRT*

Federal Sexual Harrassment case

## **BACKGROUND**

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Marguerite was one of the six founding members of Garden Court Chambers and has been described on LinkedIn by one consultant solicitor at a leading criminal firm as "Fearless, committed and highly intelligent."

She practices at the highest level in crime, frequently as Leading Junior. She is known as having outstanding advocacy skills and is a gifted cross-examiner. She has a particular interest in areas of expert evidence such as DNA, cell-site, firearms, computer systems, handwriting, psychiatric evaluations, drug trace evidence etc. and enjoys keeping up-to-date with forensic techniques and research. She has a reputation for very high rate of acquittals and has an outstanding overall success rate. She is considered to be an expert on the Law of Abuse, Disclosure, RIPA and the use of expert evidence.

Marguerite has led in a significant number of high profile trials. The range of her defence work includes murder, attempted murder, manslaughter, wounding with intent, serious frauds, including multi-million pound internet and carousel frauds. She specialises in high profile cases and has given seminars on bribery and corruption compliance. She has also led in very high profile conspiracy cases involving allegations of offences related to "terrorism" such as conspiracy to cause explosions. She has frequently acted in major drug cases with multi-million pound valuations and has appeared in cases of armed robbery, firearms supply and blackmail.

## **PUBLICATIONS**

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'The Impact of the Canadian Charter of Rights on Privacy in Canada' chapter in *Developing Key Privacy Rights* (Hart Publishing 2002)

*Towards Global Equality* (LSUC, 2002)

Peer reviewer for *Are We 'Persons' Yet? Law and Sexuality in Canada* (University of Toronto Press, 1999)

Canadian Journal of Women and the Law 1990 - 'Women and Criminal Trials'

1990 Book Review, Queens Law Journal

## **TRAINING AND SEMINARS**

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Marguerite has had a commitment to equality and LGBT issues and women's rights throughout her career. Coming from a working class background in South London and as one of the six founder members of Garden Court from the beginning she has been proud to be part of a Chambers that has always tried to achieve justice for its clients and diversity at the Bar.

Marguerite was an invited speaker at the United Nations, NGO Conference in New York.



Presented a paper on 'Women, Violence and Trafficking: Gender Issues in International Law' at the International Conference on Law and Society in Honolulu, USA.

Presented a paper on 'Internal and international trafficking in women: Arctic and northern realities, domestic and international law, and policy dilemmas' at the Faculty of Law, Northern (Arctic) Federal University Arkhangelsk, in Russia.

Presented a paper on 'Women and Trafficking: International and Domestic Legal Issues and Challenges' as an invited guest speaker for The Feminist Legal Studies Course Faculty of Law at Queen's University in Canada.

## TEACHING

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Advocacy Course Faculty of Law Queen's University

## EDUCATION

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LLM Queen's University, Canada

## PROFESSIONAL MEMBERSHIP

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Member of the Law Society of Ontario

Criminal Bar Association (CBA)

LAGLA

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