



Thomas Evans

Year of Call: 2010

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Overview

Thomas (Tom) Evans has developed a successful common law practice in crime and personal injury. His criminal practice encompasses regulatory and licensing matters (for further particulars, please refer to his 'expertise' tabs).

Tom is recognised as an eloquent, subtle and persuasive advocate: Mr Justice Goss, sitting in the Court of Appeal, described his submissions as "cogent and economical". As a student, Tom demonstrated his potential by winning both the 2010 College of Law BVC Mooting Competition and the 2010 Inter-Varsity Mooting Competition.

Prior to coming to the Bar, Tom worked in the Judge's Chambers of the United Nations International Criminal Tribunal for Rwanda ('UNICTR') assisting with deliberations and the drafting of judgments. He also benefits from 18 months experience working as a full-time paralegal in two firms of London solicitors; gaining an understanding of the practicalities of case management and solicitors' expectations of counsel.

He is direct access qualified.

Legal Publications

- 'Will physical proximity suffice in the commission of violent disorder?' Criminal Law and Justice Weekly Vol. 174 July 24 2010
- 'The Holy Grail' Criminal Law and Justice Weekly (online edition).

Academic qualifications

- BVC, College of Law - Very Competent
- GDL, College of Law - Commendation
- BA (Hons) History, University of Sussex - 2.1
- Winner of the 2010 College of Law BVC Mooting Competition
- Winner of the 2010 Inter-Varsity Mooting Competition

Professional qualifications & appointments

- Grade 2 Prosecutor
- Member of the Treasury Solicitors' Baby Barrister Panel

Direct Access

Thomas Evans is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

Expertise

Crime

Tom is the editor of the Lexis Nexis PSL Corporate Crime chapters concerning perverting the course of justice and expert evidence.

A Crown Court advocate, Tom represents Defendants in cases of serious violence, dishonesty and drug offences. He will appear in the Magistrates' Court on a direct access or private basis. Acting alone he has conducted cases of buggery (rape), sexual assault (including historical accusations), causing grievous bodily harm with intent, threats to kill, robbery, assisting unlawful immigration, possession and cultivation of significant quantities of drugs with intent to supply, conspiracy to defraud and perverting the course of justice.

Tom also prosecutes for the Crown Prosecution Service and other agencies in both general and regulatory crime.

Prior to coming to the Bar, Tom worked as full-time paralegal in two firms of London solicitors where he ran his own caseload. He was the case manager in *R v Thakrar* [2012]; which resulted in the Defendant being acquitted of two counts of attempted murder, and one count of GBH, following his wounding of three prison officers at HMP Frankland.

Tom also worked in the Judge's Chambers of the United Nations International Criminal Tribunal for Rwanda ('UNITCR') based in Arusha, Tanzania.

Recommendations

Lay client to instructing solicitor "just a quick letter to say thank you for the result we had in court. The barrister you gave me was brilliant and couldn't have done better. Please tell Mr Evans I said thank you, his final speech was amazing with great attention to detail." Client acquitted of s.18 GBH.

Recent Cases

Appeals

R v Thomson [2018]: Tom successfully appealed Mr Thomson's 18-month sentence for possession of a Samurai sword in a public place. The Court of Appeal found that the sentence imposed had been "manifestly excessive" and substituted a sentence of 12 months' imprisonment. Mr Justice Goss described Tom's submissions as "cogent and economical".

Dishonesty/Fraud

Operation Barren: Cheating the public revenue

The Defendants were alleged to have engaged in numerous 'phoenix frauds' over a period of some 10 years defrauding the public revenue of more than £3.2 million. Tom acted for the prosecution in a trial lasting 7 weeks (led by Tim Bradbury).

Drugs

Operation Daraga

The Defendant was alleged to have been involved in a significant conspiracy supply class A drugs. An undercover operation had identified numerous suspects and recovered over a kilogram of heroin. Tom acted for the Defendant in a trial lasting 2 weeks (led by Nick Robinson).

Operation Energy

An undercover operation in the Weymouth area targeting Class A drug supply networks. Tom acted for the Prosecution.

Proceeds of Crime

Poole BC v Wilson

Acted for the local authority seeking to recoup funds from a businessman who had cut back a protected 42ft oak tree on his property to enable the sunlight on his newly built balcony. The home owner was ordered to pay the £21,000 the balcony added to the value of his £1m property. For more information about the case, [click here](#).

Violence

R -v- O'S: s.18 GBH

The Defendant engaged in a sustained attack on his 14-year-old son during which he used a skateboard and a baseball bat. His son suffered a fracture to his kneecap as a result of being hit with the baseball bat. At an early hearing the Defendant entered a guilty plea to an offence contrary to s.20 OAPA 1861 but maintained that he did not intend to cause his son grievous bodily harm. Following a 4-day trial, the jury returned a unanimous not guilty verdict to the indictment.

R -v- D: s.18 Wounding

The Defendant and his wife were involved in a neighbour dispute. One evening there was an argument over their playing the bongos at an excessive volume. The Defendant and his wife their neighbour's property armed with a kitchen knife (his wife armed with a golf-umbrella). The Defendant stabbed his neighbour in his abdomen whilst allegedly shouting "I'm going to f***ing kill you"; his wife repeatedly struck the neighbour to the head with the umbrella. Following a six-day trial the jury returned unanimous not guilty verdicts to the indictment. Both the Defendant and his wife were found guilty of the alternative offence under s.20 OAPA 1861. At an earlier hearing the Defendant had offered to plead guilty to such an offence and following mitigation he was sentenced to a suspended sentence of imprisonment.

R v AB: Robbery

The Defendant was accused of tying the complainant to his bed and with two unknown males and threatening him with knives before stealing his belongings. Following a trial lasting five days he was unanimously acquitted by the jury.

Sexual Offences

R v B: Buggery

A historical allegation of anal rape on two separate occasions made against the Defendant by his step-brother. Tom acted for the Defendant.

R v C: Sexual activity with a child

The Defendant was alleged to have touched his step-sister indecently on a number of separate occasions. Following a 7-day trial the Defendant was unanimously acquitted.

R v L: Indecent assault

A historical allegation of indecent assault. The Defendant was alleged to have touched a 13-year old indecently while her family were visiting. Following a five-day trial the Defendant was unanimously acquitted.

Sexual offences

A Crown Court advocate, Tom represents Defendants in cases of serious sexual offences. He will appear in the Magistrates' Court on a direct access or private basis. Acting alone he has conducted cases of sexual assault (including historical

accusations).

Sexual Offences

- R v Cleminson [2017] (Maidstone Crown Court) Sexual activity with a child: Defendant unanimously acquitted by the jury of three counts of engaging in sexual activity with his 12 year old cousin
- R v L [2014] (Bournemouth Crown Court): Indecent Assault: Client acquitted unanimously of historical allegation
- R v T [2014] (Southampton Youth Court): Sexual Assault: charges dropped by the prosecution following a review of the evidence on the morning of trial
- R v J [2014] (Oxford Crown Court): Sexual activity with a child: Client faced accusations in relation to two separate girls. He entered guilty pleas on a basis to five out of six counts and was dealt with as a dangerous offender owing to his previous conviction for the same offence.

Motoring offences

Tom has significant experience of cases concerning the following driving offences:

- Causing serious injury by dangerous driving
- Dangerous driving
- Careless driving
- Drink driving (including failing to provide a specimen)
- Speeding
- Driving without insurance
- Failing to stop (report an accident)
- Using a mobile phone whilst driving

Personal Injury

During pupillage at 3PB, Tom received comprehensive training in clinical negligence and personal injury under the guidance of Hamish Dunlop.

He now enjoys an ever-growing practice in both PI and clinical negligence. Tom has a particular strength in advocacy and is instructed in a range of court hearings including county court trials, civil application hearings and case management. He acts for claimants and defendants across the spectrum of personal injury litigation.

Tom has a particular specialism in claims involving allegations of fraud. In the criminal jurisdiction he has had conduct of complex cases including the prosecution of a multi-handed allegation of cheating the public revenue where it was alleged the defendants had committed a £3.2 million fraud over 10 years. Tom is able to apply the rigorous scrutiny required in such cases to allegations of fraud within the civil jurisdiction.

Tom is regularly instructed to advise on liability and quantum and to settle pleadings where necessary. Where appropriate, he will accept instructions under a CFA agreement.

In addition to his own developing practice, Tom has worked closely with one of the largest ATE insurers in the UK, assessing the merits of a multitude of cases concerning areas such as clinical negligence, breach of confidence, asbestosis, occupiers' liability and accidents at work.

Recent cases:

RTA and Credit Hire

- M v S and Others: multi-party dispute consisting of substantial credit hire claim. Claim in excess of £25k.
- W v H: Claimant suffered a fractured right leg which on balance would lead to post-traumatic osteoarthritis. Claim in excess of £25k.
- H v R: Physical and psychological injuries prevented the Claimant from continuing a promising swimming career. Claim in excess of £15k.
- Z v P: Chronic pain associated with accident related Post-Traumatic Stress Disorder. Claim in excess of £50k.
- W v D: Claim involving allegation of LVI. Claimant found to have been dishonest but not fundamentally dishonest and therefore QOCS protection was retained.
- K v K & Another: Allegations of fraudulent inception of insurance policy. Case linked to multiple separate claims. Significant credit hire element.

Employer's Liability

- D v R A W Ltd: Claimant suffered significant injuries after falling through an obscured skylight.
- F v ACS: Claimant injured while installing solar panelling.
- B v A: Claimant sustained a compound fracture to his little finger when a 21kg pump fell onto his right hand.
- B v Capita PLC & Another: Claimant injured when slipping on black ice.

Occupier's Liability

- M v TPI: Claim against a public house which had left a trap door open resulting in a member of the public falling.
- F v TBC: Claimant suffered a fractured wrist after falling on an overly polished dance floor.

Package Holidays

- K v L: Claimant suffered a significant back injury after slipping in a pool of water positioned at the top of a set of stairs while on holiday in Morocco.

Animals Act

- E v K: Claimant injured after being kicked by the Defendant's horse.

Public and Regulatory

Tom's familiarity with both civil and criminal jurisdictions makes him uniquely placed to traverse the rigours of Regulatory Law. He regularly accepts instructions across the spectrum of regulatory and quasi-criminal matters. His particular interests are in trading standards, fire regulation, environmental law, Health & Safety, planning enforcement and maritime.

Tom was a member of TSOL's 'Junior Junior' and has extensive experience of the judicial review process.

Recent cases

Poole Borough Council v Wilson

Breach of a tree preservation order. This case is believed to be the first contested confiscation hearing in England and Wales where the issue was the extent of the Defendant's 'benefit' resulting from the increase in light to his property occasioned by the Defendant's wilful damage of a tree. Tom acted for the prosecution. The Case received national media attention, including in [The Telegraph](#) and in [The Times](#).

R v B

Trading Standards prosecution under the Consumer Protection from Unfair Trading Regulations 2008.

R v L

Prosecution for failing to comply with a restriction imposed by a Prohibition Notice under Article 31 of the Regulatory Reform (Fire Safety) Order 2005.