

Graham Gilbert

Year of Call: 2015
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Overview

Graham Gilbert handles criminal and public regulatory cases, particularly sports law matters. He undertook pupillage at a leading criminal set of chambers in London prior to taking tenancy at 3PB.

Graham is able to easily and quickly establish a rapport with clients and delivers simple, effective oral and written advocacy that has earned him praise from the tribunals he appears in front of.

Recommendations

"Graham is extremely conscientious, diligent, and dedicated. His work ethic is unparalleled. Clients find him approachable and easily relatable. His advocacy is always focused, persuasive, and delivered with good grace. He is the sought-after junior in all complex or multi-complainant trials due to his ability to assimilate extensive amounts of material. Graham has all the qualities and commitment to achieve greatness."

Legal 500 2027/Crime (General and Fraud)/ Leading Juniors/ Western Circuit

'Graham is a hardworking barrister of high quality. He is intelligent and scrupulously fair. His advocacy is concise and persuasive.'
Legal 500 2026/Crime (General and Fraud)/ Leading Juniors/ Western Circuit

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)

Expertise

Crime and Regulatory 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 used of a harpoon.
- **R v W (2021)**: appeared for a lead defendant in a mult-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 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.

Motoring offences

Graham frequently handles motoring law offences, from first appearances through to trial and, if necessary, sentencing. His practice covers the full range of motoring matters, from dangerous driving through to documentary and lower level offences. He is adept at handling cases involving the intricacies of this area of law, and is a trusted advocate by lay and professional clients.

Examples of Graham's recent cases involving such points of law include:

P v A
Failure to stop. Graham secured the acquittal of the client on the basis of case-law which held that, if the court was satisfied the defendant had not been aware of the alleged accident, they could not be guilty of failing to stop.

R v C
Dangerous driving offence sent to the Crown Court. However, the matter had to be withdrawn by the prosecution as notice had not been sent to the defendant within the time-limit required by statute, a point noted by Graham.

R v CB
inconsiderate driving. Successfully argued that the Crown had not established a case to answer resulting in that charge being dismissed at the close of the Crown's case.

Other examples of Graham's work include:

- **R v M (2023)**: secured a suspended sentence for a young man charged with causing death by careless driving.
- **R v D (2023)**: appeared for a defendant charged with causing serious injury by dangerous driving to a cyclist.
- **R v E (2023)**: appeared for a female client charged with causing serious injury by careless driving. The offence took place on the day the legislation came into force.
- **R v J (2022)**: Crown persuaded to discontinue a case concerning a charge of failing to provide a specimen for analysis.
- **R v B (2022)**: appeared for the defendant charged with dangerous driving having driven at over 100mph down multiple motorways.
- **R v MC (2022)**: appeared for a defendant charged with causing serious injury to the passengers in his car following a hight speed collision caused by his driving intoxicated.
- **R v L (2022)**: successful advancement of exceptional hardship before Cheltenham Magistrates' Court.
- **R v G (2021)**: successfully persuaded a court to only impose 3 penalty points for a high-speed offence on a motorway.
- **R v J (2021)**: the Crown were persuaded to drop the case against the defendant after representations were made on the evidence.
- **R v K (2021)**: successfully persuaded the court to find that exceptional hardship existed and that the driver should not be suspended as a result.
- **R v P (2021)**: defendant charged with multiple driving offences to which he had confessed at the scene. The Crown conceded that this evidence was not admissible on receipt of arguments and dropped the case.
- **R v RC (2021)**: successful resolution of a drink driving matter.
- **R v G (2021)**: appeared for a young man charged with insurance-related offences before Stevenage Magistrates' Court.
- **R v B (2020)**: represented a young man charged with dangerous driving after striking a pedestrian. The incident was captured on CCTV. Following a guilty plea, a community order was secured.
- **R v N (2020)**: appeared for a defendant charged with careless driving. Having obtained a report into the accident, a plea

was entered on a basis and a financial penalty secured.

Firearms

Graham has developed a strong practice representing police forces as well as those seeking the granting or restoration of their firearms certificates. His skills extend are of use throughout the process, including providing advice prior to lodging an appeal up to and including the final hearing. Recent examples of his work include:

- **B v CCoK**: appeared on behalf of an appellant whose licence had been refused on the basis of dishonesty arising from multiple identities.
- **P v CCoC**: appeared for the appellant against the refusal to grant a licence due to concerns arising from past offending.
- **B v CoMP**: appeal against the revocation of a licence following allegations of violence in a relationship.
- **F v CCoS**: appeared on behalf of the Chief Constable in an appeal against the revocation of a shotgun certificate.
- **H v CCoS**: represented the respondent Chief Constable.
- **S v CCoS**: represented the respondent Chief Constable.
- **S v CCoK**: provided advice on appeal following the revocation of certificates.

Public and Administrative Law

Graham's advocacy skills, developed through his strong criminal law practice, transfer highly effectively to public regulatory work. He regularly appears in front of all manner of public and semi-public bodies, police forces and other such bodies, including the Nursing & Midwifery Council and the Chartered Institute of Management Accountants. He has also appeared in the First Tier Property Tribunal

Recent cases

Taxation Disciplinary Board v Mr Imran Ashraf & Mr Hafiz Tayyab
Acted on behalf of the Taxation Disciplinary Board before the Appeal Tribunal in a case of collusion of student members of the Chartered Institute of Taxation (CIOT) in a CIOT examination.

Consumer Protection

R v S
Appeared before the Court of Appeal representing three parties charged with offences under section 1 Knives Act 1997 (unlawful marketing of the items).

PCC v H
Appeared for defendant accused of various offences under the Consumer Protection from Unfair Trading Regulations 2008.

Housing Matters

G & Ors v AB & Another
Appeared for the first respondent in an application for a rent repayment order. The applicants sought an order in the sum of nearly £40,000. This was reduced to approximately £6,000 after representations. Additionally, part of the applicant's claim was struck out.

HCC v L
successfully resisted an application for a CBO brought by a local council against a tenant.

London Borough of Redbridge v C
HMO offences brought against the landlord of multiple properties.

Dudley Metropolitan Borough Council v M
Graham appeared for the defendant company in proceedings concerning offences under the Housing Act 2004. After representations, the Council dropped the case against the client.

Police Matters

Graham regularly appears for police forces across the South East of England in applications for various injunctions and breaches of such. In particular, he frequently assists with shotgun appeals, Domestic Violence Protection Order, Football Banning Orders, Criminal Behaviour Orders, and Anti-Social Behaviour Order applications.

Education Offences

Graham regularly appears for Councils in prosecutions for offences committed under the Education Act 1996, including assisting Dorset County Council with its first ever prosecution for an offence under section 444(1A) of the 1996 Act.

Health and Safety

Graham frequently represents individuals and companies charged with health and safety and similar offences. He is noted for his attention to detail in such cases, as well as his client-friendly style. His work covers the full gamut of such matters, from fatalities and serious, life-changing injuries arising from incidents in the workplace, to failures to comply with regulatory requirements.

Recent Work Highlights include:

- **HSE v F Ltd (ongoing)**: representing a significant national entity in an ongoing investigation. The matter concerns a fatal fall from height on a work site.
- **R v G & EEBC (ongoing)**: junior for the Crown in a prosecution under the health and safety legislation after a fatal road traffic accident.
- **HSE v JS Ltd**: appeared on behalf of a company prosecuted by the regulator for a workplace accident in which a contractor fell through an unprotected skylight.
- **R v B Ltd**: 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 TRAMO**: appeared for a local authority in the prosecution of a multi-national logistics company.
- **HSE v Cutler**: looked after the company and director following an accident at work which left a worker with a broken spine.
- **DSFRS v S**: Instructed for the defendant in a matter concerning a Fire Safety offence.
- **Central Bedfordshire Council v SoS**: Assisted leading counsel for the prosecution in a prosecution arising from a fatal workplace accident. The prosecution involved unusual matters regarding jurisdiction as the parent charity was not based in the United Kingdom.

Military/Courts martial

Graham accepts instructions in military disciplinary proceedings. He has an ability to quickly and easily establish a rapport with serving personnel and assist them through the process. He is particularly adept at handling matters involving unusual or tricky issues. For example, he recently represented a Royal Marine charged with assault occasioning actual bodily harm. Although the offence was admitted, the process was complicated by the serviceman's recent diagnosis and ongoing treatment for PTSD and other anxiety issues.

Similarly, Graham represented a RAF corporal charged with a domestic assault. Again, the offence was admitted, but any sanction higher than a fine would have resulted in serious career ramifications for the corporal. Graham was able to chart a course through the proceedings that resulted in the client receiving just a small fine.

Recent cases include:

MoJ v R
Appeared for a sailor charged with an offence under section 42 of the Armed Forces Act 2006, the underlying offence having occurred in Bahrain.

R v Stephen Aliwell
Guilty plea to assault, Aylesbury Mags.

R v Samuel Brown
Careless driving and failure to provide, s.36 appointment, Salisbury Mags.

R v Jonathan Lewis
S.47 assault.

Trading Standards

Graham prosecutes and defends across a variety of trading standards matters, as well as associated areas. He appears for both prosecuting agencies, individuals, and companies. He is particularly adept at matters involving unusual or tricky points of law, which he combines with strong advisory and advocacy skills which can be deployed throughout both the investigative and litigation process.

Work Highlights include:

- **A v TS**: provide urgent (same day) advice to a multinational company on its obligations during an investigation by trading standards.
- **R v Skelton (2023)**: successfully prosecuted a defendant builder charged with multiple offences arising from his work.
- **R v Bodie**: appeared successfully for the prosecuting authority in a case concerning multiple offences of fraud by a local builder.
- **R v Lankshear**: successful prosecution on behalf of a Local Authority of two traders for a variety of offences.
- **R v B**: represented a local council in a prosecution for tenant-related offences.
- **R v STC**: 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 Buggins**: prosecution of a gas engineer for fraud offences.

Food Safety
Graham has a long history of representing individuals and companies charged with offences relating to hygiene and food safety. He also represents regulatory bodies, including local authorities charged with upholding standards.

Recent Work Highlights Include:

- **BCC v MSK Ltd**: represented an Indian restaurant charged with offences arising from a rodent infestation.
- **BCC v IS Ltd**: appeared on behalf of a convenience store chain facing offences relating to registration and cleanliness.
- **WRS v C**: acted on behalf a café charged with hygiene offences following a flooding incident on the site.
- **R v GST**: represented a turkey farmer charged with various food hygiene-related offences.
- **ADC v RF Ltd**: provided advice to a local authority on the interplay between food safety offences and the proceeds of crime.
- **BCC v TF Ltd & MA**: represented both the holding company and director of a cash and carry for multiple food hygiene offences.

Environmental & Animal Welfare

Graham's expertise covers many areas of environmental offence and in particular experience of animal welfare matters, with recent work including representing companies, boarding kennels, and private individuals. Alongside this, he has also appeared in matters concerning maritime law and other environmental offences, such a fly-tipping, nuisance, and planning law.

Work Highlights include:

- **HCC v G**: appeared on behalf of a New Forester charged with various animal welfare and associated regulatory offences linked to his small-holding and stock.
- **RSPCA v W**: represented an elderly widow charged with multiple offences by the regulator arising from her husbandry of a range of animals.
- **WCC v DF Ltd**: appeared on behalf of a kennels charged with breaching the term of its licence by its local authority.
- **LDC v B**: acting on behalf of a rescue centre alleged to have maltreated the animals under its care.
- **RSPCA v Golden Retriever Experience**: appeared for Mr Grant St James, the owner of the popular Golden Retriever Experience, throughout the proceedings before the West Somerset Magistrates' Court. He was instructed by Paul Loughlin, a partner with law firm Stephensons.
- **R v Turner**: appeared for the Crown in a prosecution of an individual for an offence involving a dangerously out of control dog which bit the face of a care-worker.
- **LHM v H**: instructed for the prosecuting harbour master in various matters concerning breaches of the harbour regulations.
- **UP Ltd v NCC**: appeared for the local authority in an appeal against a noise abatement notice brought by a global manufacturer of cricket bats. The matter was resolved to the satisfaction of both parties,
- **AWMG v CBC**: advised on an appeal against an enforcement notice issued by the local authority regarding the removal of trees from a specified area of land.
- **BCBC v C5**: represented the defendant company at trial for a breach of a condition notice.
- **R v c5BC**: appeared for the defendant company for allegations contrary to the planning regulations.
- **R v CM**: appeared on behalf of a local authority charging multiple owners of an Indian Restaurant with several breaches of a prohibition order.
- **CPS v L**: Dangerous Dog Destruction Order overturned on appeal after legal argument prepared by Graham.
- **ND Ltd v FBC**: representing a bar with a music licence for alleging the breaching the terms of it.
- **V v LBW**: Instructed in an appeal against a noise abatement notice served on a private landlord. The matter was resolved out of court, with the notice withdrawn.
- **BCBC v C**: Appeared for the defendant in a prosecution brought under the Town & Country Planning Act 1990
- **BMGCC v Caerphilly County Borough Council**: Appeal against a Noise Abatement Notice.

- **Dorset CC v K**: Fly-tipping offences.
- **G v Hyde Housing Association**: Statutory nuisance proceedings.
- **Test Valley Borough Council v W**: Successful prosecution on behalf of the Council for breaches of a noise abatement order.
- **R v B**: Appeared for the defendant in an allegation of an offence of nuisance.

Marine and Fisheries

Graham's expertise covers many areas of environmental offence, including matters concerning maritime law. Graham's experience in representing individuals and companies charged with health and safety and similar offences covers the full gamut of workplace incidents, including those within the marine and fisheries sphere.

Recent work includes:

- **LHM v H**: instructed for the prosecuting harbour master in various matters concerning breaches of the harbour regulations.
- **SIFCA v B:** appeared for the defendant in proceedings arising from a breach of bye laws relating to the use of dredging equipment within a prohibited zone.

Sports law

Having gained a wealth of knowledge in other areas, Graham has most recently begun accepting instructions in sports law matters and has a keen interest in regulatory and disciplinary aspects of the area, both domestically and internationally.

He regularly prosecutes in prohibited substance matters for the British Horseracing Authority, as well as assisting with other disciplinary matters on the Authority's behalf.

Graham is fantastic with professional and lay clients and his hard working ethic and down to earth approach makes him one to watch.

Recent cases:

- **R v WADA**: Appeared for appellant in an appeal against the publication of a anti-doping rule violation.
- **BHA v Hayley Turner**: Enquiry held on 14 December 2017 by the Independent Disciplinary Panel of the BHA as to whether Jockey Hayley Turner had broken the Rules of Racing on the grounds of bets placing. Graham Gilbert was Junior to Tim Naylor, the BHA's Head of Regulation. To read more about the enquiry, click here. The case attracted press coverage in The Guardian, SBC News and the BBC among others.
- **BHA v Graham Gibbons**: Enquiry concerning Jockey Graham Gibbons testing positive for a Banned Substance and attempting to present a sample which was not his own. To read more about this enquiry, please click here. The case attracted press coverage in The Racing Post, Sky Sports and the BBC among others.
- **BHA v Dale Swift**: Enquiry heard by the British Horseracing Association's Disciplinary Panel on 28 September 2017 relating to the Jockey Dale Swift and his testing positive for a Banned Substance. To read more about this enquiry, please click here. The case attracted press coverage in The Times and from the BBC among others.
- Enquiry heard by the British Horseracing Association's Disciplinary Panel on 10 August 2017 relating to Big Red, owned by Rebecca Bastiman, following her horse being administered a Prohibited Substance.
- Successful FA appeal (October 2021) hearing on behalf of a talented 16 year old footballer, Nathan Hieatt, who in February 2020 was accused of spitting at a referee's foot and given a 5 year ban at the initial FA hearing. In spite of five witnesses

from his team and his college tutor corroborating Nathan's story, and with the referee having no independent witnesses despite asking the opponent team, the FA took it to a hearing at which the charge was found "proven" and duly applied the minimum sanction of a 5 year ban on playing and coaching football at any level. Nathan's father, Matt Hieatt, crowdfunded to raise the legal fees for an appeal against the FA's decision.

- Enquiries heard by the British Horseracing Association's Disciplinary Panel on 3 August 2017 relating to Wotadoll and Links Drive Lady, both trained by Dean Ivory. The panel in Wotadoll considered the cross-contamination of the horse with Odesmethyltramadol, a metabolite of tramadol which had been prescribed to a stable lad following surgery. The stable lad had been urinating in Wotadoll's stable, causing the cross-contamination. The hearing attracted significant press coverage in The Guardian, The Telegraph and The Racing Post as well as numerous calls to end the practice. The panel in Links Drive Lady concerned the cross-contamination of the horse with hayfever medicine, as a result of contacts between Links Drive Lady and his keepers, who were using hayfever medicine to alleviate their symptoms at the time.
- Enquiry heard by the British Horseracing Association's Disciplinary Panel on 29 June 2017 relating to Woodacre, owned by Richard Whitaker, and the alleged use of phenylbutazone and oxyphenbutazone.
- Enquiry heard by the British Horseracing Association's Disciplinary Panel on 22 June 2017 relating to Urban Storm, owned by Norman Thomas and the alleged use of omeprazole.
- Enquiry heard by the British Horseracing Association's Disciplinary Panel on 25 May 2017, relating to Geordie des Champs, trained by Rebecca Curtis and the use of caffeine.

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.

View Article

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".

View Article

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

View Article

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.

View Article

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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Articles

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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