



Graham Gilbert

Year of Call: 2015

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Public and Regulatory

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.

Trading Standards

R v M

Junior counsel for the first defendant in a trial involving multiple allegations of fraudulent trading by the client's companies, as well as associated regulatory offences. Heard at Bournemouth Crown Court. For reporting of the original case: Daily Echo.

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.

Food Safety

Central Bedfordshire Council v Wang & Another

Graham appeared for the prosecuting council in a matter concerning a prosecution under the Food Safety Act 1990. [Media coverage](#).

Worcester Regulatory Services v A

Represented the defendant in proceedings brought under the Food Safety & Hygiene Regulations 2013.

Health & Safety

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.

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.

Environmental Offences

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.

Animal Offences

R v D

Prosecution under the Dangerous Dog legislation.

CPS v L

Dangerous Dog Destruction Order overturned on appeal after legal argument.

Dorset CC v G

Dog act offences successfully resolved out of court.

Devon CC v B

Animal transportation offences.

RSPCA v H

Appeared for the defendant in a case of animal cruelty.

RSPCA v G

Represented the RSPCA in an appeal against sentence at Swindon Crown Court.

Sports Law

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 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.

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".

[View Article](#)

Recommendations

"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)