



Graham Gilbert

Year of Call: 2015

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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 However, the matter had to be withdrawn by the prosecution as notice had not been sent to the defendant within the time-limit required by statute, a point noted by Graham.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 high 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.

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)