



# Gemma White

**Year of Call:** 2009

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## Overview

Gemma has been practising in general crime across the Western Circuit and has recently completed her LLM in Sports Law and Practice at De Montfort University, Leicester (with Distinction).

She previously worked for the Crown Prosecution Service in-house, where she successfully completed pupillage. Gemma left the CPS in 2013 to come to the independent bar, where she has continued to prosecute for the CPS, HMRC, DWP, and the probation service as well as successfully developing a defence practice.

Gemma is passionate about sport and has begun to develop her practice in this niche area.

## Academic qualifications

- LLB Law with French (Hons) 2.1 - University of the West of England, Bristol
- Certificate in European Political Studies - Université de Robert Schuman, Strasbourg
- Bar Vocational Course (Very Competent) BPP Holborn
- LLM Sports Law and Practice (Distinction) - De Montfort University Leicester

## Professional qualifications & appointments

- Grade 2 Prosecutor

## Professional bodies

- British Association for Sport and Law (BASL)
- Criminal Bar Association
- Western Circuit
- Inn: Inner Temple

## Direct Access

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

# Expertise

## Crime

Gemma has been practising in general crime across the Western Circuit since 2007. She completed pupillage with the Crown Prosecution Service before leaving in 2013 to come to the independent bar, where she has continued to prosecute for the CPS, HMRC, DWP, Local Authorities and the Probation Service as well as successfully developing a strong defence practice.

Prior to qualification, Gemma worked for a Local Authority in child protection, and as such has a particularly good rapport with young and vulnerable people, which she uses to ensure witnesses give their best evidence, and to make them feel as comfortable as possible with the court process. Given the current emphasis on handling young and vulnerable witnesses these skills ensure Gemma is able to deal with the most sensitive of cases and in 2017 she successfully completed the vulnerable witness training programme.

Gemma has a deep understanding of criminal procedure and her practice encompasses the full range of offences with particular emphasis on complex drug conspiracies, serious sexual offences, dishonesty including fraud and money laundering, serious violence and public order. Her practice has particular emphasis on cases with young or vulnerable witnesses or defendants, and she is regularly instructed to represent those with complex learning or mental health difficulties.

Gemma has experience of dealing with complex and sensitive disclosure issues including Public Interest Immunity, and is regularly instructed in cases involving Confiscation under the Proceeds of Crime Act. She has experience representing the police in civil proceedings in applications for Sexual Harm Prevention Orders and Sexual Risk Orders; she has trained ACPO on Domestic Violence Protection Orders and provided training to Local Authorities on Disclosure.

### Recent Cases of Note:

#### Drugs

- *R v H* (2018) Southampton Crown Court. Conspiracy to supply Class A
- *R v G* (2018) Southampton Crown Court. Taking Drugs into prison- community order imposed
- **Operation Operative** (2017) - Multi-handed drugs conspiracy involving the supply of an estimated £4.5 million of import grade cocaine. [Press Reports here](#)
- **Operation Pretty** (2016-2017)
  - Magic Network* - prosecuting Counsel multi-handed conspiracy to supply Class A drugs and associated Money Laundering Offences
  - Kane Network* - prosecuting Counsel supply Class A drugs
  - Scouse Network* - Junior Prosecuting Counsel (led by Jodie Mittell) 8 handed conspiracy to supply Class A drugs and associated Money Laundering. [Local Press Report for Op Pretty here](#)
- *R v S* (2017) Newport (IOW) Crown Court. 8 count indictment - conspiracy to supply drugs and possession with intent to supply at Bestival (Class A/B/C) Defence Counsel; suspended sentence
- *R v G & W* (2017) Southampton Crown Court - Conspiracy to Supply Class B. Prosecuting Trial Counsel
- *R v N & P* (2017) Swindon Crown Court - possession with intent to supply Class A/B/C. Prosecuting Trial Counsel
- *R v H & ors* (2017) Southampton Crown Court - Conspiracy to Supply Class A. Prosecuting Counsel
- *R v R* (2017) - Newport (IOW) Crown Court. Possession of Psychoactive Substances at Bestival (new legislation) Defence Counsel
- *R v W & ors* (2016) Bournemouth Crown Court: Prosecution Counsel in multi-handed cross-county Class A drug Supply case where significant custodial sentence handed down.

#### Violence/Public Order

- **Operation River** [2017] – Second led junior (led by Nigel Lickley QC and Jodie Mittell) in multi-handed murder and aggravated burglary following a botched burglary where victim shot. National press coverage [here](#)
- *R v Martin* [2017] EWCA Crim 648 appeal against sentence to Court Martial Appeals Court
- *R v W* (2017) Southampton Crown Court: Child Cruelty and Assault – Allegation of sustained period of time. Involved cross examination of vulnerable complainant – Defence Trial Counsel Secured Acquittal
- *R v H* (2017) Bournemouth Crown Court. Wounding with intent (s.18 OAPA) – Prosecuting Counsel where Defendant not fit to plead and s.41 restriction order under MHA imposed
- *R v G* (2017) Bournemouth Crown Court – Arson and Aggravated Stalking (domestic violence) – Prosecuting Counsel
- *R v S & ors* (2017) Southampton Crown Court – multi-handed affray in middle of Southampton City Centre during the middle of the day – Defence Counsel – suspended sentence imposed
- *R v B* (2017) Salisbury Crown Court – Arson
- *R v W* (2017) Salisbury Crown Court – GBH (vulnerable victim sustained broken jaw in several places) – Defendant received suspended sentence. Defence Counsel
- *R v B & ors* (2017) Bournemouth Crown Court. Multi-handed affray involving attack on vulnerable persons with multiple weapons including stun-gun. Prosecuting Trial Counsel
- *R v M* (2016) Child Cruelty and ABH – allegations of physical abuse against father by 6-year-old child – Case involved sensitive witness handling – Prosecuting Trial Counsel
- *R v S* (2016) Portsmouth Crown Court – s.20 GBH where victim pushed down flight of stairs received considerable life altering injuries and in coma for several months. Prosecuting Counsel
- *R v S* (2016) Winchester Crown Court. Wounding With Intent (s.18 OAPA) where victim repeatedly stabbed with various knives in his own home. Defence Trial Counsel
- *R v S* (2015) Swindon Crown Court: serious assault involving concrete block repeatedly used to strike victim to the head- Defendant prosecuted twice for the same violent behaviour. Case raised issues of abuse of process, autrefois convict and judicial review.
- *R v H* [2015] Newport (IOW) Crown Court: prosecuting counsel in case of obstructing a coroner/perverting the course of justice and drugs supply where the Defendant had dumped and abandoned the body of his friend on the street following an overdose.

## Dishonesty

- *R v G* (2017) Southampton Crown Court. Series of knife-point robberies committed by 14 year old (vulnerable Defendant) Defence Counsel – non custodial sentence imposed
- *R v B & O* (2017) Portsmouth Crown Court. Multiple Count Indictment series of machete point robberies on taxi drivers. Prosecuting Trial Counsel
- *R v I, M, G and ors* (2016) Southampton Crown Court – 7 handed conspiracy to steal involving over £100,000 of undelivered good from delivery company. Prosecuting Counsel
- *R v D and ors* (2016) Portsmouth Crown Court – conspiracy to possess Counterfeit currency – Defence Counsel- successful dismissal application
- *R v E & ors* (2015) Dorchester Crown Court: multi-handed Aggravated Burglary involving Defendants breaking into address and assaulting occupants with a baseball bat causing significant injuries. Defendant received suspended sentence. Defence Counsel
- *R v G* (2015) Salisbury Crown Court: Robbery. victim severely disabled with mental age of a 4 year old; required extremely careful cross examination. Defence counsel- defendant acquitted
- *R v W, S, M* (2015) Southampton Crown Court: Prosecuting Counsel in multi-handed robbery of a victim who suffered from Asperger's and who had been robbed/ beaten up whilst fleeing the scene of another robbery.

## Sexual offences

Gemma's practice encompasses the full range of sexual offences.

She has experience of representing the police in civil proceedings in applications for Sexual Harm Prevention orders and Sexual Risk Orders.

### Recent cases of note

- R v E (2018) Portsmouth Crown Court. Allegations of attempted Rape and Sexual Assault by an uncle on his niece. Case stopped following successful submission of no case to answer
- Operation Mesosphere R v M (2018) Southampton Crown Court: 17 year old defendant charged with gang rape together with three others. Several counts dismissed at half time and acquittal secured
- R v K (2018) Portsmouth Youth Court: 12 year old charged with inciting 5 year-old sibling into sexual activity. Prosecution offered no evidence following legal arguments on admissibility of evidence
- R v W (2018) Bournemouth Crown Court: historic allegations of rape and indecent assault by complainant's father
- R v H (2017) Southampton Crown Court: Historic allegations of indecent assault by grandfather on two granddaughters
- R v T (2017) Portsmouth Crown Court: inciting a child into sexual activity. Instructed Defence Counsel
- R v M (2017) Bournemouth Crown Court: Sexual Assault - Prosecuting Counsel
- R v E (2017) Southampton Crown Court; Indecent Images - Defendant in possession of and distributing close to 1 million images across all categories - Defence Counsel - suspended sentence imposed
- R v P (2015) Portsmouth Crown Court: Prosecuting Counsel in Sexual Assault where the complainant had learning difficulties and significant vulnerabilities.

## Sports

Gemma has a developing practice in this niche area. She holds a Masters Degree with Distinction in Sports Law and Practice at De Montfort University, and is a member of the British Association of Sport and the Law. She therefore has a broad and deep understanding of sports regulation and ethical matters such as anti-doping. Gemma is regularly invited to contribute articles on sporting matters for LawinSport.

She has particular experience in disciplinary matters and has advised governing bodies; she has advised a local FA on diverse Equality Act matters, including ethics, safeguarding and transgender policy.

She has experience of anti-doping and has appeared before the UK national anti doping Tribunal; she acted pro bono on behalf of an athlete in the first contested anti-doping case under the revised UK anti-doping rules from the 2015 WADA Code, as case which brought up interesting technical arguments relating to the retrospective applicability of the rules.

Gemma has appeared before the FA Disciplinary tribunal representing both player and club in relation to allegations of racist conduct; following a contested hearing both the sportsman and club were cleared of all alleged charges. She has also appeared before the Safeguarding Review Appeal Panel of the FA representing a young coach who was accused of purchasing alcohol for her players.

Gemma has acted on behalf of Football Law Associates in representing a young football fan accused of encroachment during a high profile game and successfully resisted an application for a banning order that would of prevented the young fan from attending any national or international matches.

Gemma has sat on the Appeal Tribunal for British Gymnastics and was a member of the Panel that heard the appeal against sanction by the Olympic Gymnast Louis Smith in 2016.

Gemma is keen to continue to develop her practice in all areas of sports law and accepts instructions across the board in regulatory and commercial cases.

## Publications

The Best of intentions: what Best v. BHA has taught us about appearance of bias & sufficiency of reasons by Gemma White

[View Publication](#)

## Public and Regulatory

### Trading Standards

Gemma has significant experience defending and prosecuting trading standards cases. Gemma enjoys the variety that comes with niche regulatory criminal matters, and accepts instructions across all areas of regulatory offences. Her meticulous and analytical approach provides a solid foundation for dealing with all complex and technical criminal offences alleged against individuals and corporate bodies. Her particular areas of expertise include:

- Fraud
- Consumer Protection from Unfair Trading Regulations
- Planning Prosecutions including Environmental, Town and Country Planning and Housing Act offences
- Animal Welfare
- Trademarks
- Health and Safety including Fire Safety
- Food Hygiene
- Product Safety.

### Recent Cases of Note:

*R (Oxfordshire County Council) v Blake, Blake & Marques* [2018]

Prosecution of farm shop owners for unlawful slaughter and failing to keep appropriate records of medicines administered to livestock. Local news report [here](#)

*R (Oxfordshire County Council) v M, S & RAD Trading Ltd* [2017] Oxford Crown Court

Led by Nigel Lickley QC in the prosecution of an owner of multiple Legal High shops for selling dangerous psychoactive substances. BBC report [here](#)

*R (Oxfordshire County Council) v Toys of Wood Ltd* [2017]

Product Safety - prosecution of online company selling dangerous toys for children

*Dorset County Council v National Drainage Ltd, Elswood and Radcliffe* [2017] Bournemouth Crown Court

Prosecution of company and its Directors in relation to offences under CPUTRs for inflating prices and charging for unnecessary work at the homes of elderly complainants. Local press report [here](#)

*Hart District Council v Farm Catering Ltd* [2017] Winchester Crown Court

Acted for the appellant in appeal against sentence in relation to fines imposed for breach of food hygiene regulations

*R (Hampshire County Council) v Connors* [2016] Southampton Crown Court

Prosecution Counsel in 'rogue trader' 'dodgy driveways' case involving defendant targeting vulnerable consumer's at their home addresses. Multiple offences of fraud and breach of consumer protection regulations on the indictment

*R (Wiltshire County Council) v Ward* [2015] Swindon Crown Court

Defence Counsel in 'rogue trader' 'dodgy driveways' case where the Defendant faced an indictment alleging fraud and breach of consumer protection regulations against vulnerable elderly victims- Defendant pleaded guilty to lesser offences upon advice and received a sentence that did not involve immediate imprisonment.

*R (Crawley Borough Council) v Wiltshire & Rowe* [2015] Chichester Crown Court

Prosecution Counsel in breach of Tree Preservation Order prosecution, where numerous large trees were cut down by the owner's and planning agents so as to facilitate large scale housing development which increased the value of the land by hundreds of thousands of pounds

*R (West Sussex County Council) v Dixey, Future Homes Energy Ltd and Nationwide Renewables Ltd* [2015] Lewes Crown Court

Prosecution counsel in a nationwide fraud involving 100+ consumers, many of which were vulnerable. The case involved linked investigations between the police and the Trading Standards department, with 3 indictments spanning 30 counts of fraud and breach of consumer protection regulations and a Confiscation figure of three quarters of a million pound. Local press report [here](#)

*R (Portsmouth City Council) v R* [2014] Portsmouth Crown Court: Prosecuting Counsel in prosecution of unlicensed tattoo artist for tattooing a 13 year old; convicted of Assault occasioning Actual Bodily harm and sentenced to a suspended sentence; the case was widely reported in the press locally, [nationally in the Mirror](#) and internationally in the New York Daily News.