



John Aspinall QC

Called 1971 (QC 1995)

Areas of practice

- **Crime**
- **Human Rights**

For nearly forty years John Aspinall has practised the criminal law. He started with magistrates court work in London and thereafter developed a practice in crime on the Western Circuit which quickly resulted in his becoming involved in the conduct of heavy criminal cases. The development of his criminal practice on the Western Circuit and elsewhere culminated in a junior practice almost exclusively concerned with the conduct of criminal cases involving murder, fraud, drugs and arms trafficking, and the like. The conduct of substantial criminal cases has been the central feature of his practice for over thirty years.

Since taking silk John has developed a nationwide criminal practice involving the conduct of criminal cases of the most serious kind.

In recent years these have included murder, attempted murder, manslaughter – including *Operation Trident* cases, armed kidnapping, armed robbery, drug trafficking, and money laundering. He has been and is involved in representing the main defendant in *Twomey & Others*, armed robbery at Heathrow airport and the first indictable case to be tried without a jury during the last four hundred years.

John has often been involved in matters concerning covert surveillance, telephone tapping, arrests on the high seas, and the like. When dealing with these matters often he has had occasion to consider the ECHR and he has a keen interest in The Human Rights Act and its effects. He successfully conducted *Hewitson* in the ECtHR which held that the covert surveillance conducted in the case was contrary to the ECHR. Presently JA is concerned with the relationship between the ECHR and trial on indictment without a jury.

John Aspinall has extensive experience of the law relating to motor sport. For many years he sat on the Judicial Committee of the RAC Motor Sport Council and from 1994 to 1998 John was Chairman of the Judicial Committee and a member of the sports' governing

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body, the RAC Motor Sports Council. Presently he conducts cases before domestic and international motor sport judicial tribunals and has sat as chairman of numerous motor sport judicial tribunals.

Notable Cases

Crime

R v Brady [2004] EWCA Crim 1763; the use of material obtained under compulsion in insolvency.

Dakers & Ors *money* laundering and disclosure.

Operation Trident *black* on black murder and conspiracy to murder. The defence of a 17 year old accused of murder in the most complex case of murder ever investigated by the Dorset Police and involving a complete variety of evidence from DNA to cell confessions, the defence of a boy involved in the drowning of a school friend cast of a bridge, manslaughter.

R v Roberts & Ors [1998] 1 Cr. App. R. 44; conspiracy.

R v Kearley [1996] WL 1090385; HL, hearsay and death of the appellant.

Blackledge "Ordtec" [1996] 1 Cr. App. R. 326; the Matrix Churchill sister case concerning disclosure and abuse of process.

R v Geddes (1996) Crim. L.R. 894; attempt to commit a crime.

Collins & Ors [1994] R.T.R. 216; armed kidnapping and the right of a jury to stop a trial.

R v Ali Ashir Dagher [1994] WL 1062837 "*the nuclear triggers to Iraq*" at trial, where JA's client was acquitted.

R v Lunt (1987) 85 Cr. App. R. 241; similar fact evidence.

R v Dalby [1982] 1 W.L.R. 425; manslaughter.

Covert surveillance and phone tapping cases:

Hewitson v UK (2003) 37 E.H.R.R. 31; which held that the covert surveillance conducted in the case was contrary to the ECHR.

R v Preston & Ors [1994] 2 A.C. 130; HL, disclosure and telephone tapping.

Membership and Societies

- Judicial Committee of the RAC Motor Sport Council
1994 - 1998 Chairman of the Judicial Committee and a member of the sports' governing body, the RAC Motor Sports Council

Other relevant information

- 1985 to 1998 Assistant Recorder/Recorder
- Inner Temple advocacy trainer

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