



# Peter Wilcock

Called 1988

## Areas of Practice

Criminal Defence including frequent appellate work; Inquests; civil actions against the Police and Mental Health. Peter's criminal practice has encompassed the full range of serious offences from terrorism to professional crime and fraud. He has appeared both as a leading junior and junior to Queen's Counsel. In recent years Peter has developed a specialism in cases involving expert evidence whether it be clinical, pathological or psychiatric.

Described as "all-round excellent" in Legal 500 2009 and as a leading junior in crime by Chambers UK "A Client's Guide to the UK Legal Profession 2009."

## Notable Cases 1

### A: Trials

R v Arafat Waheed Khan (April 2010 – July 2010) – Represented Defendant arrested as a result of investigations into alleged plot to blow up transatlantic airliners and convicted of conspiring to murder on the basis that he had agreed to become a suicide bomber without knowing the precise details of the target to be attacked. (National publicity eg BBC News 13/07/10)

R v Neil Tindling (May 2010) – Represented Defendant who pleaded guilty to conspiracy to import conspiracy to import 225kgs cocaine into UK. (BBC News 27/05/10)

R v Khatun (December 2009) – Represented Defendant acquitted of murdering 10 month-old son. National publicity e.g. Daily Mail 23<sup>rd</sup> December 2009.

R v Mohammed Sham Uddin (October 2009 – December 2009) – Represented Defendant acquitted of involvement in plot to blow up transatlantic airliners. National publicity e.g. Times 10<sup>th</sup> December 2009.

R v Mohammed Ali (May 2009) – Represented Defendant accused of murdering two sisters in their flat in Birmingham in September 2008. National publicity e.g. Times 22<sup>nd</sup> May 2009

R v Suzanne Holdsworth (December 2009) – Represented childminder acquitted of murdering 2 year old child as a result of fresh expert

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evidence suggesting that child prone to epileptic fits. National publicity e.g. Daily Mail 27<sup>th</sup> December 2008

R v Emmanuel (February 2008 – May 2008) Represented only acquitted Defendant accused of “contract murder” of PC Nisha Patel-Nasri arranged by husband. National publicity e.g. BBC News 28<sup>th</sup> May 2008.

R v Schmidt (January – February 2008 & July/August 2008) Represented nanny accused of shaking young baby both at trial and during subsequent appeals in which her conviction was quashed by Court of Appeal. See Times 28<sup>th</sup> March 2009

R v Grant (October 2007) – Represented Defendant as leading junior in alleged large scale (over £1m) handling conspiracy. (Sunday Mirror 4<sup>th</sup> November 2007)

R v Gay (February - March 2007) – represented Defendant acquitted of fatally “salt poisoning” a 3 year old boy he and his wife were planning to adopt. National publicity.

R v Dixon (January 2006 – March 2006) – Leading junior in large scale drug importation.

R v Tipu (October 2005) Leading Junior in extensive fraudulent work permit and long residency application by immigration adviser. Reported in The Times.

R v Anderson (March 2005) – “Club class people smuggling.” Leading junior representing pilot accused of flying in illegal immigrants in light aircraft. (BBC News 18/12/06)

R v Curwen (2003) armed robbery involving the kidnap of 2 Police Officers.

R v Bradish (2002) – “most prolific armed robbers in last 20 years” – featured in BBC documentary True Crime “Gangbusters” 14/03/05.

R v Tozer (2000) - multiple armed robbery raising issues of corruption at Rigg Approach branch of Flying Squad.

## **B: Appeals**

R v M (February 2010) – Represented appellant in successful appeal against conviction for rape. Appeal based on fresh evidence resulting from application to the CCRC.

R v McCurry (October 2009) – Represented appellant in successful appeal against sentence for supplying Ecstasy. Appeal based on fresh evidence relating to the active constituent of seized drugs. (2009 EWCA (Crim) 2273)

R v Francis (September 2009) – Represented appellant in successful appeal (following CCRC referral) against convictions for drugs offences. Appeal based on fresh evidence of Police corruption. (2009 EWCA (Crim) 2268)

R v Shale (February 2009) – Represented appellant in appeal (following CCRC referral) against conviction for murder following conviction for murder. (2009 EWCA (Crim) 2273)

R v Norman (July 2008) – Represented appellant convicted of child abduction. Court of Appeal issued guidance in relation to fitness to plead procedure [2009] 1 Cr. App. R. 13

R v Christie (May 2008) – Represented appellant convicted of alleged “Johnson Crew” murder of doorman in Birmingham. (2009) 1 Cr App R 36

Suzanne Holdsworth (April 2008) – Represented appellant convicted of murdering 2 year old child who she was babysitting. Conviction quashed on basis of fresh medical evidence. ([2009] Crim. L.R. 195)

Kennedy (December 2007) – Represented appellant (currently in the 18<sup>th</sup> year of his life sentence) in CCRC referral based upon fresh evidence as to the time of the deceased’s death and DNA evidence said to have implicated the appellant at trial. (2007 EWCA (Crim) 3132)

R v McDaid and Clarke – (November 2007) Represented appellants in House of Lords where it was held that a trial on an “unsigned indictment” could not be the basis for a valid conviction. (2008 Cr App R 2)

R v Boreman; Byrne & Byrne – (June 2006) represented all three appellants in successful appeal against murder conviction based upon evidence of discredited pathologist Dr Michael Heath. (Guardian 20/06/06; 29/08/06 & 01/11/06)

R v Harris and R v Cherry (June 2005) Successful appeals involving competing medical approaches to “Shaken Baby Syndrome” (2006) 1 Cr App R 5

R v Huckerby (December 2004) Appeal allowed in case of security driver convicted of being “inside-man” in what was then the largest cash armed robbery in Europe (£6m).

R v Nash (December 2004) Appeal against murder conviction succeeded on grounds of fresh psychiatric evidence indicating diminished responsibility which the appellant had refused to allow his legal team to place before the jury at trial. Fresh evidence admitted on grounds that the Defendant’s mental illness was the reason for the his refusal to canvas the issue at trial.

R v Pope (November 2004) CCRC reference. Appeal succeeded. (Guardian 2/11/04 – The last old-style fit-up?).

R v Rowland (The Times 13th January 2004) Murder. Appeal allowed. Court examined extent of provocation defence.

R v Higgins (Guardian 14<sup>th</sup> June 2002) Appellant’s conviction for armed robbery quashed after Court heard fresh evidence of Police misconduct.

R v King 2000 Crim LR 835 (Murder. Appeal allowed. Court dealt with approach of Court of Appeal to old cases).

## C: Inquests

Mola (February 2009) – Coroner’s Inquest into death of 23 year old prisoner, who had been diagnosed with schizophrenia in his teens, who died of smoke inhalation after setting fire to cardboard furniture in his cell. Jury verdict was critical of decision by Prison staff to allow him access to lighting materials given his previous history of starting fires both during previous prison sentences and outside. Inquest also

covered Prison service policy in relation to use of cardboard furniture and inaction in relation to implementation of cell rescue equipment.

Fearon – (October 2006) - Coroner's Inquest into shootings at Turnmills nightclub in April 2003 raising issues of police response to information they had received in advance of the shootings. Jury found that that information was not "communicated effectively between the relevant parties", and that better communication might "have led to a more proactive action plan". (Guardian 02/01/07)

Dixon – Coroner's Inquest into police shooting of a "quick-draw" gun enthusiast ("Cowboy Bob") who was shot by Police on his doorstep. The Inquest examined Police procedures in the lead up to the shooting and whether they might have led to the deceased's decision to confront the Police with an imitation gun. (Independent May 1995 and Panorama 1996)

## Notable Cases 2

R v Clowsley (July 2007) – represented Defendant accused of armed robbery of @£1million of antique watches from a Piccadilly jewellers

R v Ibrahim (June 2006 – October 2006) – represented alleged ring leader of failed 21/7 suicide bombings in London

R v L (May – June 2006 & January 2007) – Kidnapping and blackmail trial allegedly involving notorious "Johnson crew" in Birmingham.

R v Long (October 2005 – December 2005) – murder

R v L (October 2005) Successful appeal against attempted murder conviction allegedly involving notorious "Johnson crew" in Birmingham.

R v O'Toole (May 2005) Contract murders.

R v O (August 2004) CCRC reference. Appeal succeeded on the basis of fresh evidence of complainant's unreliability

R v Curwen 2 (2004) Multiple armed robbery.

R v Fraser (October 2003) CCRC reference. Appeal allowed on basis of fresh evidence of Police corruption at Walsall Road Drugs Squad.

John Straffen (Great Britain's longest serving prisoner in application to CCRC).

R v Gray – (March 2003) Appeal allowed on basis of criticisms of "facial mapping" evidence adduced at trial.

R v Higgins (Guardian 14/06/02) Appeal succeeded on grounds that Police Officers had interfered with exhibits

R v Ellis (1999) Successful appeal in aftermath of enquiry into Police corruption at Rigg approach branch of Flying Squad.

R v Tanyldiz 1998 Crim LR 228

R v Conian & Scott 1993 Crim LR (venire de novo & appeal proceedings)

## Societies

Society of Labour Lawyers  
Criminal Bar Association  
Criminal Appeal Lawyers Association

## Publications

Crime & Disorder Act ; LAG January 1999

Fitness to Plead Procedure: An adequate Protection? 2002 NLJ 439

Fresh Evidence in the Court of Appeal; Pendleton - a Case Note 2002 NLJ

Criminal Justice Act 2003 – NLJ 2004

Article on the defence of provocation (with Joel Bennathan) – Solicitors Journal May 2006

Fresh Evidence in Criminal Appeals – Pendleton revisited – Archbold News December 2006

A timely reminder – (with Joel Bennathan) (2008 158 N.L.J. 466)

## Background

LSE 1983 - 1986

President LSE SU 1986/1987

Tribunal Judge Mental Health Review Tribunal since 2004

Appointed as appraiser for Tribunals Service (Mental Health) in October 2009