



# Barry Gilbert

Call 1978

Following call to the Bar, Barry Gilbert worked for HM government in the UK and in Germany, France and the Middle East on political and public order affairs. His abilities in speaking Arabic, Russian, French and German had led him to this position. He worked very closely with heads of state and senior military and intelligence personnel.

In the course of this work he developed many skills and acquired a breadth of knowledge relevant to his work at the Bar. He achieved the highest security clearance available.

Barry came to the Bar in 1985 and immediately developed an impressive practice in criminal defending. Barry was called upon frequently to lecture professional organisations, junior police officers and specialist police and Home Office personnel on case management and preparation. This period also, through contacts of his own, saw a significant number of wildlife cases (including one of only two cock-fighting trials of the 20th Century).

Barry's work led inevitably to heavyweight defending in a variety of cases – armed robberies, murder, corruption and high profile fraud and drugs cases. In 1999 he moved to 2 Bedford Row where he continues to prosper. He has a strong advisory role, assisting the Northern Ireland Police Service in sensitive prosecutions, assisting the Shooters' Rights Association, as well as advising private individuals.

Barry is qualified to undertake [direct access](#) work.

## Practice Areas

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### Confiscation

Confiscation, once aptly described as 'a growth area' is now an integral part of almost every case. Barry's knowledge of confiscation is extensive, having been involved in the area since it first began in 1986, through its metamorphoses to the current regime.

Barry has been involved in all types of confiscation – from the simple to the highly complex, involving property and funds across the world and the repatriation of those assets.

In 2011 he was involved in one of the most complex confiscation cases of all, relating to real estate in the UK, France, Spain, Haiti, Tahiti, Brazil and Thailand.

## Crime

Serious crime, notably armed robbery and major drug importation, is where Barry started. Following a number of successes for serious, professional criminals, he went on to defend in a long string of robberies, drug importations and supplies. His unusual knowledge of weapons has frequently been the basis of instruction.

### Notable crime cases

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#### **R v AB & Others**

A major conspiracy involving the Flying Squad and some of the country's best-known robbers.

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#### **R v AB & Another**

Armed robbery of a number of banks in the Surrey area.

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#### **R v T**

Armed robbery of a series of high-value security trucks.

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#### **R v Tobin & Others**

Two trials concerning the hold-up of a series of high-value post office vans.

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#### **R v Mulkerrins & Others**

Importation of 895 kilos of cocaine from Venezuela, valued then at £125 million. M was the man providing the financing for the operation, extending across 4 continents.

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#### **R v Downs**

The defendant was, with Others, selling Mach 10 machine pistols and ammunition from a flat in Hackney.

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## Defence

It will be clear from everything above that Barry's practice is overwhelmingly Defence-based. His insight into the workings of law enforcement agencies and his knowledge of procedures and practices are frequently decisive.

## Environmental

Barry recently defended a Local Authority for the unlawful use of land and failure to comply with

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enforcement notices.

He has also been involved in many cases involving the Water Act, Dangerous Dogs Act, Wildlife and Countryside Act, Badgers Act and other cases revolving around the abuse of all types of animals – badgers, dogs, birds, reptiles, cats – and the sale and import/export of skins and eggs.

In 2001 he was employed to defend the Master of the Hunt on the Isle of Wight for cruelty and Badger destruction.

His knowledge in this area is extensive.

## Fraud

Barry has been involved, as leading junior, alone and being led, in many complex and lengthy frauds of all types: corruption in business, mortgage fraud, insurance fraud, revenue fraud. He has also undertaken 'Advance fee frauds' and 'Boiler room frauds'.

### Notable fraud cases

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#### **R v Yaseen**

The owner of a major computer company was accused of bribery of the suppliers.

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#### **R v Hayley & Others**

For the last 6 years Barry has been advising in a case, now completed, where HMRC allege £120 million of tax relief has been fraudulently claimed through benefits allowed to film investments.

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#### **R v Ayinde-Azeez**

Barry defended the main defendant in a case concerning 5 Others who were obtaining mortgage funds using a corrupt solicitor.

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#### **R v Ganatra & Others**

The defendants created a completely false bank and successfully persuaded businesses to place their accounts with them, amounting to millions of pounds, which then disappeared abroad.

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#### **R v M**

The defendant was a solicitor employed by the Royal Bank of Scotland and had the responsibility of settling old claims. It was alleged that old claims were re-activated and then cheques amounting to £6 million were sent to co-conspirators.

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#### **R v Zykin**

Credit cards details were obtained from US banks and then transported via the UK to Russia. Barry's Russian language was the reason for the instruction in a case valued in the millions of pounds.

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## Military Law

Barry has recently conducted a case concerning the supply of Class A drugs within the RAF.

The Officer concerned was found 'not guilty' at the direction of the Judge following submissions by Barry at the end of the prosecution case.

In 1987 Barry was granted a Commission as Flight Lieutenant in the RAF Legal Services.

## Murder & Manslaughter

Barry has defended in all manner of homicides – planned murders, gang murders, drug-associated murders, murders within the family. He has also dealt with a number of manslaughter cases, ranging from those that are at the high end to the 'one-punch' variety.

### Notable murder & manslaughter cases

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#### **R v Vu**

A murder following a failed drug deal in the Vietnamese community. The gang felt they had been conned and beat the victim so badly that he eventually died.

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#### **R v Pasierbek**

A murder of a mother by her son. Neither party were able to care for themselves and the doctors declared P fit to be tried.

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#### **R v O'Driscoll**

The 'Costco murder'. The defendants were stealing from vans in the car parks of wholesale suppliers when one of the victims noticed and jumped onto the car. The car was driven in order to shake the man free. He fell and died of his injuries.

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#### **R v Forde-Morgan**

A shooting (shotgun) of a young man who had strayed onto the wrong 'territory'.

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#### **R v Hanson & White**

The murder of John Monkton. It achieved prominence because of the family friendship with the Princess of Wales. The two men posed as postmen in order to gain entry to a Chelsea house, then stabbed the victim

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and his wife.

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## Prosecution

Barry is a Grade 4 prosecutor (the highest level) and has prosecuted for HM Customs, Health and Safety and Local Councils.

Given his past, it is inevitable that he understands the workings of Law Enforcement agencies and he has been called upon by the PSNI in advising on prosecutions relating to alleged leaked intelligence enabling serious crimes to be perpetrated on a factional basis.

## Serious Sexual Offences

Barry has been instructed in a number of serious sexual offences involving cross-examination of very young and very old witnesses, as well as 'historical' sex offences and what is now referred to as 'internet porn'.

These cases are all sensitive and it is not proposed to cite examples here.

## Memberships

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- Bar Council
- Bar Pro Bono Unit
- Courts Martial
- General Medical Council

## Education

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- Dip Arabic, University of London School of Oriental & African Studies / Arabic school, Shemlaan, Lebanon
- Inns of Court School of Law
- LLB, University of Southampton

## Qualifications

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- Direct Access Qualified