



# Katherine Higgs

Call 2019

Katherine Higgs prosecutes and defends in the Crown, Magistrates' and Youth Courts. She has experience dealing with a wide range of criminal offences including serious violence, sex offences, drugs offences, public order offences, weapons offences and dishonesty offences. She also has considerable experience representing defendants charged with motoring offences, in particular those who are facing disqualification.

Prior to commencing pupillage, Katherine worked for 18 months in the financial crime department of a major London firm. She assisted in defending cases prosecuted by the SFO, NCA and CPS, several of which involved Encrochat devices, as well as prosecuting on behalf of the RSPCA including a large scale fraud case involving puppy farming.

## Practice Areas

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### Road Traffic

Katherine has extensive experience representing defendants charged with a range of road traffic offences, including in applications for special reasons or exceptional hardship where they are facing disqualification.

### Notable Cases:

- **R v MZ** – Special reasons successfully argued on behalf of MZ, who had pleaded guilty to speeding at 60mph in a 30mph speed limit. The basis of the application was that he was suffering from a flare up of irritable bowel syndrome and was rushing to get home. No penalty points were endorsed on his licence, meaning that he avoided 'totting'.
- **R v JA** – Exceptional hardship was successfully argued on behalf of JA, a lorry driver whose partner was pregnant and would risk losing their home if he was unable to drive. No disqualification imposed.
- **R v SC** – Exceptional hardship was successfully argued on the basis that SC's elderly mother would be unable to carry out daily tasks or attend medical appointments if he was unable to drive her. No disqualification imposed.
- **R v RK** – Exceptional hardship was successfully argued on the basis that RK's mental health would suffer if she was unable to drive, as well as that of her autistic son; and her elderly parents would be unable to attend medical appointments. No disqualification imposed.
- **R v JZ** – Successfully persuaded the Court to impose a short discretionary disqualification in order to avoid 'totting'.

- **R v RL** – Successfully persuaded the Court only to endorse 5 penalty points for a careless driving charge where RL, an Uber driver, had driven through a red light and hit three pedestrians.

## Defence

Katherine has a busy defence practice in the Crown, Magistrates' and Youth Courts.

## Notable Cases:

- **R v AD** – The Crown offered no evidence following service of a skeleton argument regarding abuse of process. AD had been found in possession of class A drugs at the age of 17. He was not charged until two years later with no explanation as to why.
- **R v JB** – Successful submissions of no case to answer made in respect of ABH and threatening with an offensive weapon in a public place following cross examination drawing out weaknesses in the Crown's case and acquitted in respect of the fourth charge on the basis that there was a good reason for having the knife.
- **TFL v SA** – SA was acquitted of refusing a journey in a private hire vehicle due to the passenger being accompanied by an assistance dog. This case involved careful cross examination of two blind complainants and putting to them that they had not seen the defendant at the relevant time.
- **R v CA** – CA was acquitted of assault on emergency worker on the basis of defence of another. CA hit out at an officer to escape her grasp so as to help her friend who was being detained by another officer.
- **R v AP** – AP was acquitted of common assault, despite three witnesses for the Crown stating that they had seen the defendant hold up a glass beer bottle and motion to throw the bottle towards the complainant. The acquittal was on the basis of inconsistencies drawn out in cross examination.
- **R v DH** – DH was charged with common assault against M and battery against C. Successful half time submission made in respect of the common assault and acquitted in respect of the assault by beating following cross-examination drawing out inconsistencies.
- **R v AA** – AA was acquitted of shoplifting on the basis that he did not intend to permanently deprive, despite having left the shop with items inside his bag.
- **R v LC** – Successfully defended a Newton hearing, where the defendant accepted having breached his restraining order by sending explicit photos but did not accept any further breaches. The Crown's case was that there were breaches on at least 3 further occasions.
- **R v SH** – SH acquitted of failing to provide a sample of breath following suspected drink driving. Successfully argued a medical defence relating to a lung disease, despite no medical evidence being produced.
- **R v GI** – GI was acquitted of driving without insurance. He was said to have told officers he was commuting to work at the time he was stopped, which was not covered by his insurance policy. It was successfully argued that there was a language barrier such that the Court could not be sure the officers had correctly understood what he had said.
- **R v DW** – Successful submission of no case to answer on harassment charge and acquitted of intentional strangulation following a number of inconsistencies highlighted in cross-examination of the Crown's witnesses.

## Prosecution

Katherine prosecutes in the Crown and Magistrates' Courts. She is regularly instructed to prosecute on behalf of the CPS, National Probation Service and Transport for London.

## Publications

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- CPS General Crime Level 1

## Memberships

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- Criminal Bar Association
- Women in Criminal Law
- Young Fraud Lawyers Association
- The Honourable Society of Gray's Inn

## Education

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- Bar Professional Training Course with LLM, University of Law (Very Competent/Distinction)
- Graduate Diploma in Law, University of Law (Commendation)
- BA (Hons) in Events Management, Canterbury Christ Church University (2:1)

### Scholarships/Awards

- Ann Goddard Pupillage Scholarship, Gray's Inn