



Michael Haynes

Call 1979

Michael Haynes has specialised in defending those accused of the most serious crimes since the early 1990's.

He is regularly instructed in cases involving a wide range of offences, including murder, manslaughter, kidnapping, serious assaults, robbery, aggravated burglary, customs offences, drugs, money-laundering and fraud.

Michael has considerable experience in representing defendants accused of the most serious sexual crimes. He is IT savvy which has proved particularly useful in defending offences relating to indecent images. He has acquired a considerable expertise in DNA and medical evidence which regularly features in sexual cases.

Practice Areas

Defence

Michael has extensive experience in defending allegations of violence (murder, manslaughter, robbery and serious assaults) as well as offences relating to drugs and fraud.

Notable defence cases

R v K

Police officer charged with sexual assault of fellow officer whilst in police station. Issues of disclosure arose and resulted in the discovery of previous unsubstantiated sexual allegations by same female complainant. Cross examination thereon was allowed following a section 41 application. Acquitted.

R v S

Death by careless driving. S was serving in the army and had driven into the back of a motorbike on an unlit motorway on his way back to barracks one evening. There were no witnesses but the prosecution suggested that if you drive into the back of another vehicle travelling in the same direction the collision must have been as a result of S's carelessness. Acquitted.

R v S

S accused of raping a 11 year old girl back in the 1980's. The complainant didn't come forward until 2018 although she had told a number of people over the last 30 years. Various potential witnesses were no longer alive. There were issues of admissibility about some of the prosecution evidence but it was not possible to argue that the delay of nearly 40 years meant the prosecution was an abuse of process. S was acquitted.

R v H

H was charged with conspiracy to kidnap / falsely imprison / blackmail / administering poisonous substance. H was alleged to be an organiser and taking part in the kidnap, assault, detention, drugging and blackmail of a foreign national (X) who, the P suggested, had failed to pay a debt arising from previous joint criminal activity with H and/or his associates. X was assaulted and hooded and moved between premises before armed police rescued him. The trial was eventually stopped after cross examination of X had been completed and it was then discovered that the circumstances surrounding the surveillance evidence of the police had not been fully disclosed. After a week of further investigations by the prosecution and legal argument, the prosecution agreed to drop all charges and all defendants were acquitted.

R v C

Long-term fraudulent trading, fraud by misrepresentation, aggressive trading and money laundering; the total loss involved said to be about £100,000 with numerous victims with £1m being 'laundered'. C, who was an undischarged bankrupt, was jointly charged with his wife who had 'fronted' the company. After obtaining our own expert's report and lengthy negotiations with the prosecution, they accepted the loss was less than £30,000 and did not pursue C for having a 'criminal lifestyle', despite the fact that both the plea to the money laundering and the period over which the 'frauds' were committed made such a finding automatic. The prosecution agreed to drop the charges against C's wife.

R v A

Grievous bodily harm to another inmate in prison by stabbing him with home-made knife. Defence was that A had been targeted by a religious group of prisoners and was acting in self-defence throughout. Crown agreed to drop charges in relation to use and possession of knife and A received a concurrent sentence for a minor public order offence.

R v H

H charged with prison mutiny and criminal damage when a prison wing was taken over and wrecked by around 20 inmates. The trials were split into manageable sizes and H appeared in a trial of 6 defendants. 5 of the 6 defendants (including H) were running a defence of duress as all were caught by the CCTV cameras causing damage before the cameras were destroyed. H was the only defendant acquitted of all charges.

R v W

Privately instructed to represent a professional rugby player accused of raping the complainant (C) at his own address in the company of a male friend. C had been drinking to excess and denied she would have ever consented to a 3-some. Acquitted within 1 hour.

R v B

Charges of kidnapping with intent to commit a sexual offence. The Crown were persuaded to offer no evidence and B acquitted.

R v J

Historical allegations of numerous rapes against his nephew when a young child. The jury in the first trial were unable to reach verdicts and the Crown then agreed not to proceed to a re-trial and offered no evidence.

R v K

63 year old accused of a section 18 wounding with intent by entering the V's house and using a knife to wound him. Negotiated lesser charges with the prosecution and K received a non-custodial sentence.

R v H

Historical allegation of rape whilst H and the complainant (C) were at university together. C had consumed a great deal of alcohol and denied that she had consented to the sexual activity that night. Acquitted within 1 hour.

R v C

Charged with possession of indecent images of his daughter and other females. Successfully argued that the Crown could not prove they were indecent and/or could not prove that the other females were underage. Acquitted of all charges.

R v FK

Privately instructed to represent FK, who was a doctor accused of sexually touching a neighbour's child. Whilst the assault was of a relatively minor character, a conviction would have had serious consequences in relation to his career. Acquitted of all charges.

R v L

Privately instructed for a case of historical allegations of digital and oral penetration of a partner's child. He was also accused of having possession and distributing thousands of indecent images. Successful argument resulted in the indecent images being severed from the trial alleging the sexual assaults. After DL was acquitted of the sexual assault allegations, the Crown agreed to offer no evidence in relation to the image

counts and so he was acquitted of all charges.

R v JP

Juvenile accused of sexually touching a 16 year old girl who was unable to consent due to her mental incapacity. Very difficult cross-examination of the complainant who had mental health issues, the case being more difficult to conduct as there was no jury. Acquitted.

R v OR

Charged with rape of complainant (C) after they had met for the first time one evening when both were drunk. After being invited back to her flat, with other friends of C also being in the flat, OR had sex with C but after OR left, she complained to her friends it had been rape. Acquitted.

R v SE

D charged with historical sexual assaults on his niece and her half-sister 20 years ago. SE had mental health problems in that he had an exceptionally low IQ. He denied ever touching the children. Acquitted of all charges against both complainants.

R v V

Charged with s 18 gbh and child cruelty offences on his 6-week-old child causing broken ribs on 2 occasions, eye injuries following suggested strangulation and finally a serious assault to the child's head resulting in the child suffering permanent brain damage. His Co-D partner (X) was separately represented and jointly charged. Unusually, family law proceedings had already been finalised and V had been found responsible for causing the brain injuries by the family court judge. Despite this finding, the jury acquitted V of all charges and reversed the family judge's findings by finding it was X who was responsible for all of the assaults on their child.

R v C

The allegations related to alleged long-term fraudulent trading, fraud by misrepresentation, aggressive trading and money laundering; the total loss involved was originally said to be about £100,000 with numerous victims with £1m being 'laundered'. C, who was an undischarged bankrupt, was jointly charged with his wife who had 'fronted' the company. After obtaining our own expert's report and lengthy negotiations with the prosecution, they accepted the loss was less than £30,000 and did not pursue C for having a 'criminal lifestyle', despite the fact that both the plea to the money laundering and the period over which the 'frauds' were committed made such a finding automatic. The prosecution agreed to drop the charges against C's wife.

Serious Sexual Offences

For the last 25 years Michael has specialised in defending those accused of serious sexual crimes. He is often privately instructed to defend such cases all over the country. This area of law has become vastly complex with numerous complainants coming forward with allegations of sexual assaults dating from many years ago. The dramatic change in attitude, from both complainants and juries, seems to have followed the Savile case.

Michael has vast experience in defending historical sexual offences and has a reputation for succinctly and effectively cross-examining both children and adults in sexual cases.

He has acquired a deep knowledge of all related areas enabling him to deal with medical and DNA experts.

He has dealt with numerous cases where 'abuse of process' has been argued, particularly relevant where potential defence evidence is no longer available due to the passage of time and is very experienced in section 41 applications, namely applying to introduce a complainant's relevant sexual history.

He has dealt with many cases where complainants claim to have the ability to recall events from when they are as young as 3 years of age.

In addition, his extensive knowledge of IT matters and the dark web enables him to expose any weaknesses in computer experts' evidence covering indecent images.

Notable serious sexual offences cases

R v K

Police officer charged with sexual assault of fellow officer whilst in police station. Issues of disclosure arose and resulted in the discovery of previous unsubstantiated sexual allegations by same female complainant. Cross examination thereon was allowed following a section 41 application. Acquitted.

R v S

S accused of raping a 11 year old girl back in the 1980's. The complainant didn't come forward until 2018 although she had told a number of people over the last 30 years. Various potential witnesses were no longer alive. There were issues of admissibility about some of the prosecution evidence but it was not possible to argue that the delay of nearly 40 years meant the prosecution was an abuse of process. S was acquitted.

R v S

Terminally ill man of 80 charged with 19 counts of sexual assaults and rapes against 2 step-daughters dating back to the 1980's. H was too ill to attend court and therefore the whole trial was conducted via Skype with H giving evidence from home. The jury were unable to agree verdicts in relation to all charges against X1 and all charges of rape against X2 and therefore the Crown did not proceed with those allegations.

R v H

H charged with sexual assaults and/or of raping 6 women. He had to plead guilty to underage sex with one of complainants as she was only 14 years of age. In addition, the prosecution had discovered material on his computer which included searches for 'forced sex' and 'teen rape' which the court ruled admissible in the trial. Despite these difficulties, the jury acquitted H of 10 of the counts, including all charges of rape against 2 of the complainants, and only convicted of 3 of the remaining counts in relation to 2 complainants.

R v P

P charged with kidnap and rape of drunken woman by acting as good Samaritan and taking the daughter and her mother home but then driving off with the unconscious daughter in the back of his car and allegedly raping her.

R v A

Retired GP accused of sexually assaulting family friend after taking her back to his house and plying her with alcohol. Found guilty but received a suspended sentence.

R v B

Privately represented grandfather (B) jointly charged with his son of sexual assaults on his granddaughter (GD) in front of other family members. Defence was that GD had been put up to making false allegations by her step-mother to prevent B and his son having any access to GD. Jury acquitted of all charges.

R v McG

Privately instructed to defend McG accused of rape/buggery of a stranger after meeting in a night club when both V and McG had been drinking. Issues included rebutting a suggestion that the V had been drugged by McG. McG was acquitted.

R v S

High profile former government advisor for terrorism / race relations was accused of multiple allegations of rape and assault. Intensive defence preparation and research resulted in successfully persuading the P to offer no evidence and S was therefore acquitted of all charges.

R v H

80 year old charged with historical rapes/buggeries and other sexual acts on 3 related victims over a 30 year period dating from the 1960's to 1990's when the victims were young children; one of the allegations was said to have occurred when the V was 3 years of age. Complex issues of law had to be considered as to how a court should approach old allegations where the offences were no longer on the statute book and sentencing guidelines had dramatically increased.

R v W

Privately instructed to represent a professional rugby player accused of raping the complainant (C) at his own address in the company of a male friend. C had been drinking to excess and denied she would have ever consented to a 3-some. Acquitted within 1 hour.

R v D

Historical attempted rape and various sexual assaults on a related child who had stayed overnight at D's home address on several occasions 20 years earlier. Allegations included possession of indecent images. The matters were originally tried together but after the Crown accepted the defence expert's evidence, D was acquitted of all image charges and a re-trial was ordered in relation to the sexual allegations.

R v W

Historical allegations of rape and other sexual acts upon his sister and later of a child of his partner dating back to the 1970's.

R v A

Privately instructed to defend a teacher accused of historical allegations of sexually assaulting two former pupils a number of years apart. One of the complainant's had suffered from mental health issues making cross-examination difficult.

R v B

Retired teacher accused of numerous historical allegations of sexually abusing (buggery, indecent assaults, cruelty) 19 former pupils at his school in the 1970's – 1980's.

R v M

M was accused by 2 former partners and one of their friends of numerous historical rapes over a number of years. The allegations included accusations that he had encouraged a friend to join him in committing a joint rape on 2 occasions. He was also accused of sexually abusing 3 of his partners' children to which M suggested there had been a conspiracy by his ex-partners to encourage the children to make false allegations. The defence included successfully arguing that the trial should be severed into separate trials for the allegations in relation to the children and then the adults. M was acquitted of all of the allegations in relation to the children.

R v DM

Difficult case where DM was accused of historical offences of rape and other sexual offences against 2 children when they were aged between 7 and 10 years. At the time the offences commenced M was only 10 years of age or possibly younger. There were therefore issues as to whether he was old enough to be criminally responsible for his acts.

R v T

Historical allegations, charged with a co-defendant, of raping/buggering a child when between the ages of 4 and 13 years.

R v G

G was charged with carrying out sexual assaults / robberies on 98 women who were unknown to him whilst they were alone in public over a period of about one year. The case involved expert analysis of CCTV, DNA evidence, cell site evidence, identification evidence and fingerprint evidence.

R v R

Father accused of historical rape and sexual assaults of his 2 daughters, in collaboration with his own father (children's grandfather). Included allegations of inciting his daughter to watch pornography.

Memberships

- Criminal Bar Association