



# Rhys Rosser

Call 2015

Rhys Rosser maintains a strong criminal defence practice dealing with offences including murder, drugs supply and financial crime. Rhys also practises in a wide range of quasi-criminal areas such as inquests, judicial review and regulatory proceedings.

As a trial advocate, Rhys has been instructed as both a leading junior, led junior and junior alone. Rhys first led in a three-month conspiracy to supply Class A drugs trial at Lewes Crown Court. Rhys has also been instructed as led junior for the first defendant in several complex multi-handed murder trials. Rhys has a particular specialism in cases involving the Section 45 modern-slavery defence. Rhys has also been instructed in several complex conspiracies to defraud including the UK's largest ever alleged timeshare fraud.

Rhys also deals with serious matters in the Youth Court such as Section 18 GBH and Blackmail, and as such is well versed in dealing with youth clients and guiding them through the trial process.

Rhys specialises in motoring law and driving offences, and has extensive experience of proceedings brought pursuant to the Proceeds of Crime Act. As a result of having conducted these complex matters, Rhys has developed the ability to present robust legal arguments in the face of challenges from District Judges on apparently "technical points".

He is regularly instructed to represent famous sportspeople and well-known celebrities, and therefore understands the particular needs of such individuals.

In a non-criminal setting, Rhys is experienced in dealing with inquests considering fatalities as a result of road traffic collisions. Rhys is also regularly instructed in a variety of regulatory hearings, acting for both regulators and registrants which enables him to present persuasive arguments. Rhys has particularly extensive experience acting in proceedings brought by the NMC, HCPC and the SRA. Rhys has developed a substantial prison law practice, including challenging decisions of the Parole Board and Probation by way of judicial review.

Rhys has continued to broaden his practice to include civil disputes, employment tribunals, commercial acquisitions (having completed a multi-million pound corporate takeover on a direct access basis) and property disputes.

Prior to joining Chambers, Rhys worked in Portfolio Management at the Royal Bank of Scotland managing a debt book of in excess of £440m. This experience equips Rhys to deal with Fraud and Financial Crime cases due to the financial analysis skills gained in that previous career.

Rhys is the only criminal practitioner listed in the Chambers & Partners list of "Top Newly Ranked

Practitioners across the UK Bar." The guide described Rhys as *"a rising star due to the great effort he puts into his cases and the ease with which he communicates with his clients."*

Rhys is also experienced in dealing with civil disputes on a direct access basis. He is well versed in applications to set aside orders and contractual disputes, Rhys has also advised on multiple commercial transactions and the drafting of SPAs. Rhys recently advised as to the takeover of a well-known Somerset football club by a local property consortium

## Practice Areas

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### Prosecution

Rhys is regularly instructed by the Crown Prosecution Service to conduct trials in the Crown Court, in addition to prosecuting serious matters in the Youth Court. Rhys has been instructed to prosecute offences of serious assaults, dishonesty offences and public order offences.

As a result of his experience in motoring law, Rhys was instructed as the prosecution junior in proceedings against a well-known Premiership footballer who was charged with Dangerous Driving.

Rhys is well versed in the disclosure requirements associated with both public and private prosecutions. He has compiled Schedules of Unused Material as required by the CPIA and assisted those instructing with disclosure issues where they arise.

Rhys has significant experience in conducting private prosecutions. He has successfully prosecuted a number of such cases, including cases in which matters have progressed to trial and the Defendant has been convicted (notwithstanding various defence applications to avoid the matter proceeding to trial).

### Defence

Rhys has a broad defence practice acting on behalf of individuals charged with a range of offences including violence, drugs, dishonesty and sexual offences. Rhys has been a lead junior in cases of murder, fraud and people trafficking. Rhys has also acted as a leading junior in conspiracy to supply Class A drugs. Rhys is regularly instructed in cases involving complex phone and financial evidence due to his close attention to detail and careful analysis.

As a junior alone, Rhys regularly deals with serious matters including armed robbery and s18 GBH, as well as large scale drug offending. Rhys is ordinarily instructed in multi-handed cases where his robust approach to case management ensures regular excellent outcomes.

Having conducted in excess of 500 summary trials, Rhys is regularly instructed on a private basis in the Magistrates Court.

### Notable defence cases

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#### R v K [2023]

Rhys was led by Nick Barraclough in a 3 month trial before Wood Green Crown Court where the Defendant was acquitted of an allegation to kidnap and blackmail, during which it was alleged the complainant had been threatened with a firearm.

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#### **R v V [2023]**

Rhys represented V who was acquitted of a number of allegations of removing criminal property namely cash from the UK. The Defendant was alleged to have played a significant role in arranging the removal of funds to Dubai.

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#### **R v S [2023]**

Represented S who was acquitted of the Rape of two under 16s during which he was alleged to have threatened one of the complainants with a knife. This involved cross-examination of child witnesses, applications under Section 41 and objections to previous allegations of rape being admitted against the Defendant into evidence.

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#### **R v X [2023]**

X had been charged with possession of a firearm which carried a mandatory minimum sentence. Rhys successfully applied to dismiss the charge on the basis of errors that had been made in the handling of forensic evidence.

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#### **R v E [2023]**

Rhys represented E who was accused of possessing indecent images of children. Rhys drafted disclosure applications and an application to dismiss after which the Prosecution indicated they would offer no evidence.

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#### **R v C [2022]**

Rhys represented C in a case which attracted significant media attention due to the manner of the arrest carried out by the Metropolitan Police. Rhys robustly cross-examined the Police Officers involved in the arrest and their use of a knee on the neck of the defendant. C was acquitted in under an hour.

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#### **R v S [2022]**

Rhys was led junior to represent the first defendant in an allegation of murder and inflicting grievous bodily harm with a corrosive substance at the Central Criminal Court.

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#### **R v R [2022]**

Rhys represented the lead Defendant in an allegation of conspiracy to murder arising from a gang dispute in South London.

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**R v A [2022]**

Rhys represented the sole defendant acquitted in a large-scale conspiracy to import Class A drugs after a 4-week trial at Kingston Crown Court. The allegation related to in excess of 100kg of cocaine being imported through UK ports.

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**R v L [2022]**

Appeared in a 3-month human trafficking and controlling prostitution trial before Isleworth Crown Court. The Defendant received a suspended sentence.

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**R v C [2022]**

Led by Christine Agnew KC, Rhys represented C who was the sole defendant acquitted of murder in a multi-handed trial before Chelmsford Crown Court.

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**R v X [2021]**

In a widely reported matter, Rhys acted on behalf of X who was alleged to have murdered his cousin before attempting to murder his step-father in a trial before Merthyr Tydfil Crown Court

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**R v D [2021]**

Rhys was instructed as leading junior to represent D in a 3 month trial at Lewes Crown Court. Whilst convicted, the Defendant received a sentence 3 ½ years lower than any co-defendant.

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**R v M [2021]**

Instructed as led junior for the lead Defendant in a conspiracy to control prostitution and traffic vulnerable individuals. Acquitted at half-time of modern slavery offence.

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**R v AS (2020)**

As a led junior, Rhys represented AS who was one of four defendants charged with a drugs-linked murder. The case involved a substantial amount of legal argument and expert evidence.

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**R v RR (2020)**

RR faced an indictment of Affray and ABH with three other defendants, following submissions the Prosecution offered no evidence against RR at trial.

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**R v X (2019)**

X was charged with four other defendants with two offences of Robbery. Rhys provided written representations and a skeleton argument as to the evidential nature of the first offence which led to X having no evidence offered whilst the other defendants were convicted. X proceeded to trial on the second offence and following further submissions, the prosecution offered no evidence.

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#### **R v JM (2019)**

Rhys represented JM who was charged with ABH and a three handed Assault. Rhys made a successful submission of no case to answer on the first count and JM was the only defendant acquitted of the second count after trial.

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#### **R v X (2019)**

Rhys represented X who had been arrested in 2018 on suspicion of Possession with Intent To Supply , he was under 18 at the time. X was not charged until 12 months later when he had turned 18. Rhys successfully applied to have the proceedings stayed as an Abuse of Process on the basis of delay.

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#### **R v PA (2019)**

Rhys represented PA as a led junior, PA was charged with a large scale drug conspiracy and people trafficking offences. Rhys advanced a submission of no case to answer in the absence of his leader which led to PA being acquitted of all people trafficking offences. PA was convicted of conspiracy to supply class A but received a relatively low sentence of 3 years custody.

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## **Road Traffic**

Having acted on behalf of various celebrities and sportsmen, Rhys has developed a particular specialism in motoring law.

He is regularly instructed by leading motoring solicitors dealing with offences such as Drink Driving and Speeding.

Rhys is experienced in handling complex legal arguments before District Judges. In addition, Rhys is experienced in dealing with sentencing hearings where disqualifications are either avoided or substantially reduced.

Rhys has represented individuals on a direct access basis for a wide range of hearings.

As the editor of Butterworths' Road Traffic, Rhys is very well-regarded in the industry. Rhys is also regularly instructed to advise at a pre-charge stage, this regularly results in no further action being taken against those accused of driving offences.

## **Notable road traffic cases**

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#### **R v X [2023]**

Rhys represented X who had pleaded guilty to an offence of Causing Death by Dangerous Driving. The Prosecution case was that the offence was at the top of the guidelines requiring a sentence of greater than 8 years imprisonment. X was sentenced to 4 years 6 months after mitigation.

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#### **R v G [2023]**

G had been disqualified by the Magistrates Court and came to Rhys by recommendation. Rhys was able to prepare a detailed mitigation bundle setting out the impact that a disqualification would have on G and his close family. G was a well-known professional musician. As a result of the appeal, his disqualification was lifted and his driving licence was returned to him.

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#### **R v P [2023]**

Rhys represented AP who was a senior area manager for a major UK supermarket. AP had been disqualified by the Magistrates Court having accumulated 12 points on their licence. AP had to travel to 120 different stores and would not have been able to keep their licence had they been disqualified. Rhys was able to persuade the Crown Court Judge at a hearing in May 2023 that AP could show exceptional hardship if they were disqualified from driving. As such, the Crown Court over-turned the disqualification and AP was able to maintain their driving licence and their employment.

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#### **R v H [2023]**

Rhys was instructed by specialist driving solicitors to assist with the representation of their client AH. AH had been charged with the offence of Causing Serious Injury by Careless Driving, this was because the offence had taken place the day after the introduction of new legislation. Rhys was able to persuade the sentencing Judge that despite the injuries caused, the sentence could be suspended due to the Defendant's personal mitigation.

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#### **R v K [2023]**

Rhys represented K in March 2023 before Luton Crown Court. K was charged with a third drink driving offence in two years, all offences having been approximately 3 times the legal limit. K was in breach of a suspended sentence by virtue of him committing the third offence. The suspended sentence had been imposed for an offence of drink driving. Rhys successfully persuaded the Crown Court, having appealed a sentence of immediate custody imposed by the Magistrates Court, that it was appropriate to impose a further suspended sentence. The Court indicated that they agreed with Rhys' submissions that if ever there was a case they could take the step, it was that presented by Rhys.

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#### **CPS v GR (2020)**

GR was a senior manager for a well known supermarket chain who relied on his licence to support his business and his family. Having instructed Rhys on a direct access basis, Rhys successfully argued that

disqualifying GR from driving would cause him exceptional hardship and so GR kept his driving licence.

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### **CPS v TW (2019)**

TW was charged with a single offence of using a mobile phone whilst driving, TW already had 6 points on his licence so would have been disqualified for 6 months if convicted. The Prosecution rested on the evidence of a Police Constable who said he had seen TW using the phone, following cross-examination and submissions the Court ruled there was no evidence of an offence being committed.

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### **CPS v NI (2019)**

NI faced two charges of allowing another to use his motor vehicle without insurance. Rhys made various legal arguments and left the Prosecution in a position where they had no evidence that was admissible before the Court and so NI was acquitted of both charges.

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### **R v AS (2019)**

AS was before Snaresbrook Crown Court for an allegation of Dangerous Driving, this offence was alleged to have been committed whilst on licence so AS had been recalled so was a serving prisoner. Rhys outlined the evidential difficulties in the prosecution case and persuaded the CPS to accept a plea to Careless Driving. AS received a financial penalty having faced a custodial sentence had he been convicted of Dangerous Driving.

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### **CPS v CL (2019)**

CL relied on her driving licence in order to care for her disabled son. She was charged with an offence of speeding to which she entered a guilty plea on the day of trial. After extensive submissions Rhys persuaded the Court to impose a 14 day disqualification rather than penalty points which would have resulted in a 6 month driving ban.

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## **Appeals**

Rhys has conducted a number of Appeals in the Crown Court where the Defendants have been convicted in the Magistrates Court. His extensive experience of conducting trials in the Magistrates Court leaves him well-placed to advise as to the merits of any appeal against conviction or sentence.

Rhys is also available to provide written advices following conviction in either the Magistrates Court or Crown Court. As part of his practice, Rhys regularly works alongside QCs in providing initial advice on appeal and drafting advice relating to both appeal and conviction.

Rhys is regularly instructed to provide a second opinion in respect of appeals against conviction and sentence.

## **Notable appeals cases**



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### **R v Y [2023]**

Rhys was instructed for Y who had been convicted of rape in the Youth Court. Rhys represented Y on appeal before the Crown Court where his conviction was over-turned.

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### **R v Cooper [2023] EWCA Crim 945**

Rhys represented the first appellant in a specially constituted court to consider the approach that should be taken to totality. The two co-appellants were represented by King's Counsel.

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### **Wu v Chelmsford City Council [2023] EWCA Crim 338**

Rhys was instructed to provide a fresh opinion as to the safety of conviction in respect of allegations of unlawful eviction and harassment. Having considered the legal directions, Rhys drafted an advice on appeal and the Single Judge subsequently granted permission to appeal. Due to the complexity of the appeal, representation was extended so that Alex Stein was instructed to lead Rhys in a case which led to a restating of the principles in respect of the offences.

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### **W v R [2022]**

As a result of a breakdown in representation, Rhys represented W before the Court of Appeal in respect of an appeal against sentence. The Court of Appeal reduced the sentence by 5 years due to the Learned Judge's failure to properly account for the youth of the Defendant.

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### **R v TF**

TF was a man of good character who had been convicted in the Magistrates Court. Rhys successfully argued that the continued Prosecution was an Abuse of Process and the Appeal was allowed.

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### **R v AT**

AT had been convicted of Common Assault in the Magistrates Court after hearing evidence from his ex-girlfriend. After the admission of previous false allegations made by the alleged victim, AT's appeal against conviction was allowed.

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## **Confiscation**

Rhys has prosecuted and defended in Cash Forfeiture proceedings in the Magistrates Court as well as contested Proceeds of Crime proceedings in the Crown Court. His financial analysis has often led to inaccuracies being identified in documents prepared by financial advisers.

Rhys is well versed in the Proceeds of Crime Act and the drafting of witness statements in relation to confiscation proceedings. Furthermore, he is regularly instructed to consider applications to reconsider

available amounts and Section 22 applications where the Defendant has obtained further assets since the order was put in place.

In addition to this, Rhys is regularly instructed to act on behalf of individuals appearing in the Magistrates Court for enforcement proceedings. These proceedings can be extremely serious as they can result in the imposition of a custodial sentence for non-payment.

## Notable confiscation cases

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### HMRC v JN

Rhys drafted various skeleton arguments in relation to the admissibility of evidence and settled the case for a sum which was appropriate on the basis of the evidence.

### CPS v SA

Despite the case having been adjourned several times, Rhys was able to obtain a number of further adjournments to ensure SA kept her liberty and was able to make appropriate repayments.

## Regulatory

Rhys conducts hearings before a variety of disciplinary panels and in civil proceedings, such as licensing appeals. Having been instructed by both the regulator and the registrant, Rhys is able to adapt to present arguments informed by his experience of acting for both sides.

In particular, Rhys is regularly instructed before the Nursing and Midwifery Council and the Health Care Professionals Committee, in cases that include complex substantive hearings with substantial number of witnesses and matters of law which require submissions.

As well as dealing with disciplinary proceedings, Rhys represents those who are being pursued in the criminal courts by regulators such as the Law Society and SRA. Rhys has dealt with complex legal arguments relating to the meaning of conducting litigation and the relevant exemptions as set out in the Legal Services Act. During his pupillage, Rhys worked with a Tier 1 white collar crime firm dealing with Health & Safety Executive, General Medical Council and Financial Conduct Authority proceedings.

## Notable regulatory cases

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### NMC v ME (2019)

ME was a nurse who had made an incorrect entry on the register when seeking re-admission. Whilst the entry was found to be fraudulent, the panel's findings were such that ME's application to re-join the register would be seen contextually, rather than with dishonesty alone.

### HCPC v ML (2018)

ML was a paramedic who had serious allegations of wrongdoing made against him which was captured by

CCTV. Rhys was able to manage the evidence in the case in such a way that the panel felt that ML was not impaired and, despite the CCTV evidence, could continue to practise without restrictions.

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## Judicial Review

Rhys is regularly instructed in proceedings brought by way of Judicial Review. These are ordinarily linked to criminal proceedings. These are often on a direct access basis and so Rhys is experienced in completing the N461 notice, drafting of Statement of Grounds and Facts as well as the adherence to pre-action protocols.

Rhys has worked closely with various solicitors in the following principal areas:

- Challenges of decisions to recall prisoners;
- The decision not to refer a case by the CCRC;
- ACRO decisions not to expunge cautions.

## Notable judicial review cases

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### RE v CCRC (2020)

Rhys has brought a challenge on behalf of RE against the CCRC decision not to refer his case to the Court of Appeal.

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### JL v Secretary of State (2019)

Rhys was instructed to challenge the decision of the PPCS on the basis that the decision to recall JL was made on the incorrect grounds. The matter was heard at the RCJ for argument against the SoS.

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### GN v MPCC (2019)

The challenging of a decision by the Met Police not to remove a caution from GN's record. This case involved a careful challenge of the provisions of PACE.

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## Fraud

As a result of his financial background, Rhys is regularly instructed in matters of fraud both as a led junior and junior alone. Rhys has a particular expertise in challenging the conclusions of forensic accountants. Rhys has been involved in a wide spectrum of financial crime including:

- The falsification of duty records in order to evade c£15m in payments;
- A Trade Based Money Laundering with the use of 30 shell companies to launder c£30m;
- The fitting of fake exhaust filters as part of the LEZ emission zone.

## Notable fraud cases

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### **R v DG (2020)**

Rhys has been instructed to represent the second defendant in an eight handed conspiracy to launder criminal property by way of TBML.

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### **R v GP (2019)**

GP was charged as part of a large-scale fraud involving the London Low Emission zone. As a led junior, Rhys dealt with various matters of law such as submissions of no case to answer, applications to exclude and the prosecution reliance on a handwriting expert.

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### **R v MG (2019)**

MG pleaded guilty to an isolated incident of Duty Evasion. This was not accepted by the Prosecution but following representations from Rhys, the Prosecution offered no evidence on all remaining charges. MG received a sentence of 2 years 8 months when the original starting point, had the Prosecution proceeded, would have been one of 7 years.

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### **R v MD (2018)**

MD was jointly charged with her husband with an offence of Money Laundering. Following careful cross-examination of Police Officers and Financial Investigators, MD was acquitted of the charge whilst her husband was convicted.

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## Publications

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- CPS Level 2
- Government Legal Department "Junior Junior" Counsel Panellist

## Education

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- BPTC (Very Competent), BPP Law School (2014-2015)
- QD Law & Business, Warwick University (2010-2014)

## Qualifications

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- Sunley Prize, Inner Temple (2016)
- Advocacy Scholarship (BPTC), BPP Law School (2015)
- Major Scholarship, Inner Temple (2014)
- Duke of Edinburgh Award, Inner Temple (2014)