

## David Temkin KC

Call 2000 | Silk 2021



### Clerks' Details

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### Appointments

- Visiting Professor, BPP University Law School (2022)
- Bencher of the Inner Temple (2021)
- King's Counsel (2021)
- Inner Temple Advocacy Trainer (2021)
- Member of the Bar Advisory Board, BPP University Law School (2021)
- Chair of Northern Circuit Continuing Education (2020)
- Recorder (2018) authorised to try serious sexual offences (2019)
- Visiting Lecturer in Professional Discipline at the BPP University on the Bar Professional Training Course (2015 - 2017)
- Trainer for Northern Circuit Pupil Supervisors (2016)
- Northern Circuit Advocacy Trainer (2016)
- Approved Pupil Supervisor (2014)

### Memberships

- Criminal Bar Association

### Practice Overview

David Temkin KC is a stand-out silk who is in extremely high demand. His reputation is for meticulous attention to detail, rigorous advocacy and exceptional client care. He prosecutes and defends in equal measure and with equal commitment. For many years, David has been recommended in the UK's Legal Directories where descriptions include "thorough, meticulous and courageous", "extraordinarily good" and "a lovely person to work with". The Legal 500 2023 notes David's ability to "lead a jury to exactly where they need to be, in order to get the result he has been instructed to achieve".

David was appointed King's Counsel in March 2021, after two decades specialising in criminal work (prosecuting and defending). Prior to taking silk, David was a Grade 4 Prosecutor and an approved advocate on both the Serious Crime Group Panel and the Rape and Serious Sexual Offences Panel. He spent 15 years on the Attorney-General's List of Specialist Regulatory Advocates. He acted for the General Medical Council for a number of years. He represented police officers before their disciplinary tribunal and at the Crown Court.

Highlights of David's work as King's Counsel include prosecuting and defending murders (domestic and gangland), manslaughter, shootings and drug conspiracies. David undertakes both legally-aided and privately-funded work. He has enjoyed particular successes defending in privately-funded sex cases.

David sits in the Crown Court as a criminal recorder (appointed in 2018; authorised to sit on serious sexual cases in 2019). He is an approved advocacy trainer for the Inner Temple (where he was elected as a Governing Bencher in 2021) and for the Northern Circuit (where he is Head of Continuing Education). David is currently Visiting Professor at the BPP University Law School.

## Recommendations

### Legal Directories

Band 2 –

Crime – Northern (Bar)

“As a person, you will never find anyone who is kinder, nicer and so pleasant in the difficult world of criminal law. Add to that his attention to detail, his client care and his manner in front of the jury – he is second to none.”

**Chambers and Partners 2024**

“David is a highly effective cross-examiner whose meticulous preparation is used to devastating effect. He has an affable and persuasive style of advocacy which is attractive to both juries and judges.”

**The Legal 500 2024**

‘David is an exceptional advocate who gets to grips with the granular detail very quickly. His ability to rapidly identify the strengths and weaknesses of a case is second to none. David is not an aggressive advocate, his manner is calm, cool and collected. David can gently lead a jury to exactly where they need to be, in order to get the result he has been instructed to achieve.’

**The Legal 500 2023**

“He is a lovely person to work with who goes above and beyond. He’s great with lay clients.”

“He is very well accepted by juries.”

**Chambers and Partners 2022**

‘David’s attention to detail is extraordinary. The patience and understanding shown with sometimes difficult individuals makes him stand out from others. Nothing is ever too much trouble.’

**The Legal 500 2022**

“A superb advocate.”

“He is a smooth performer and is great with clients.”

“He is thorough, meticulous and courageous.”

**Chambers and Partners 2021**

“Widely and rightly regarded as the model senior junior of the circuit, he is an extremely effective communicator.”

**The Legal 500 2021**

“His client-care skills are exceptional and he is so diligent in his preparation. He’s always refreshingly calm.”

“Extraordinarily good, with a very friendly and affable manner.”

**Chambers and Partners 2020**

“Knowledgeable with regards to all aspects of the law and an exceptional jury advocate.”

**The Legal 500 2020**

“A great advocate; judges respect him.”

**The Legal 500 2018/19**

“Very hardworking and a great lawyer.”

**The Legal 500 2017**

### **Instructing Solicitor Testimonials**

“David Temkin is one of the brightest barristers I know.”

“David is our first choice to instruct in our most complex cases.”

“The meticulous preparation that David undertakes for each and every case has proved absolutely invaluable time and time again.”

“The assistance David provides to us as instructing solicitors and the rapport he establishes with clients reaffirms our decision to instruct him.”

“The case involved the assimilation of a plethora of expert evidence and David impressed us with his unflappable style and clear presentation.”

“David is always willing to go the extra mile to deliver advice via email and telephone out of office hours.”

“It was largely due to David’s expertise and tenacity that the case was finally resolved.”

“David is good at putting people at their ease, is able to explain matters in layman’s language and is refreshingly “down to earth”.”

“Nothing seemed like too much trouble for him. He was professional yet extremely personable.”

### **Homicide (as King's Counsel)**

R v W (Operation Profile) (2023) – murder – defendant alleged to have killed his neighbour in Blackpool and then to have dismembered him. Many (but not all) body parts later located in different parts of Cumbria – trial listed in March 2024 (prosecuting)

R v Y (2023) – murder – represented a man, aged 17 at the time of offending, for involvement in a sustained group knife attack on a teenager (defending)

R v J & O (2023) – murder – successful prosecution of two defendants who had brutally murdered a man at night in Sheffield city centre (prosecuting)

R v W (2023) – murder – represented one of nine defendants charged with the murder of an 18-year old male in Liverpool (defending)

R v D (Operation Tatlow) (2022) – murder – successful prosecution of a defendant who murdered an elderly man by strangulation (prosecuting)

R v M (Operation Butler) (2022) – conviction for manslaughter in respect of a husband who killed his terminally-ill wife pursuant to a suicide-pact (prosecuting)

R v S (Operation Adelite) (2022) – conspiracy to murder – gangland revenge attack following the murder of a child (defending)

R v C (2021) – murder – defendant attacked a male on the street culminating in a stamp to the head causing a hinge fracture to the skull (defending)

R v I (2021) – murder – defendant targeted and killed a retired Senior Crown Prosecutor by repeated hammer blows to the head (defending)

R v C (Operation Peron) (2021) – murder – group attack on a 16-year old boy (defending)

R v B & W (Operation Maplewood) (2021) – murder – two defendants involved in a fatal attack (prosecuting)

### **Homicide (pre-King's Counsel)**

R v E (Operation Greece) (2020) – “no body murder” – successfully prosecuted defendant for killing his partner and disposing of her corpse (prosecuting, as led junior counsel)

R v T (2020) – successful murder trial of a defendant who had caring responsibility for a vulnerable, alcoholic male. Abusive relationship culminated in ferocious and fatal beatings (prosecuting, as led junior counsel)

R v M (2019) – successfully represented one of two young men on trial for manslaughter – street violence outside an Oldham nightclub – complex issues of joint responsibility and bad character – acquitted by the jury (defending)

R v W (2019) – murder trial – defendant attacked a man in a Burnley street using a knuckle-duster (prosecuting)

R v T (2019) – highly-complex Manchester gangland conspiracy to murder – tit-for-tat shootings between rival factions – David’s client was the only defendant to be acquitted by the jury (defending, as led junior counsel)

R v C (2018) – successful six-week murder trial – mother killed her baby by shaking and throwing. Case relied on complex expert medical evidence (prosecuting, as led junior counsel)

R v A, B & A (2017) – successful murder trial – deceased was hammered to death as he slept – international banking/conveyancing evidence revealed that the defendants (deceased’s new wife and her lover) had been motivated by huge financial gain (prosecuting, as led junior counsel)

R v A (2017) – successful murder trial – stabbing (prosecuting, as led junior counsel)

R v B (2016) – murder of a homeless man in Manchester city centre – case heavily reliant on CCTV, cell-site evidence and accounts of eye-witnesses, many of whom had cloudy recollections due to abuse of the drug Spice (defending, as led junior counsel)

R v B (2009) – murder trial in which the issue was causation, (death occurred three years after the assault) – client acquitted after legal argument (defending, as led junior counsel)

R v C (2007) – multi-handed murder of a teenager (defending, as led junior counsel)

### **Violent Crime (as King’s Counsel)**

R v L & C (2022) – trial concerning close-range firearm discharge by masked motorcyclists during daylight hours in central Birkenhead (prosecuting)

R v J (2022) – successful prosecution of a teenager for discharging a firearm on the streets of Toxteth and causing serious injury to an innocent 15-year old schoolgirl (prosecuting)

R v O & others (Operation Solstice) (2021) – successful prosecution of 14 defendants facing conspiracy charges arising from multiple firearms discharges, drug supplying and arson (prosecuting)

### **Violent Crime (pre-King's Counsel)**

R v R (2018) – client stabbed an Imam in the neck, outside a south Manchester mosque – successfully acquitted of attempted murder (defending)

R v C (2018) – high-profile terrorist case – known Nazi sympathiser threatened to kill Jewish MP and was found to have taken steps to manufacture an explosive device using a bomb-making manual – successful outcome (prosecuting)

R v T (2017) – successful trial under section 23 OAPA 1861 – defendant took his infant son to remote woodland – sought to poison the child as he slept in a car by introducing fumes from the exhaust pipe via a hose (prosecuting)

R v T & others (2015) – successfully secured convictions of all defendants in complex conspiracy to commit armed robberies around Greater Manchester (prosecuting, as leading junior counsel)

R v I (2014) – attempted murder – repeated stabbing of two police officers by paranoid schizophrenic – case turned on the evidence of two consultant psychiatrists and the question of whether a defence of “self-defence” was available to the defendant (defending)

R v A (2014) – child neglect – defendant momentarily left his two infants unattended in the bath – the baby drowned (prosecuting)

R v O (2014) – attempted murder – Crown offered no evidence after David's legal argument on the first day of trial (defending)

R v H (2012) – multi-handed violent disorder by 13 members of the English Defence League – successful convictions resulted (prosecuting, as leading junior counsel)

### **Sexual Offences (as King's Counsel)**

R v B (ongoing) – client to face trial in early 2024 for causing/inciting a child to engage in sexual activity – whilst babysitting for a five-year old child, client is alleged to have attempted to make her touch his penis (defending)

R v W (2023) – senior member of the legal profession sentenced for attempted sexual communication with a child under 16 – David persuaded the judge away from a custodial sentence – community order achieved – David successfully argued that there was no need for a Sexual Harm Prevention Order (defending)

R v W (2023) – represented a young man accused of raping a female in sand dunes following a post-Covid beach party – client unanimously acquitted (defending)

B (2022) - pre-charge written representations for client accused of sexual offending against his six-year old son – David's detailed submissions resulted in no criminal charges being pursued

W (2022) – pre-charge written representations for client accused of historic sexual offending against his daughter – David’s detailed submissions resulted in no criminal charges being pursued

R v R (2021) – rape by a student after an encounter at a nightclub (defending)

R v P (2021) – committal for sentence for client (professional musician) charged with multiple offences of making indecent photographs of children – non-custodial outcome achieved (defending)

### **Sexual Offences (pre-King’s Counsel)**

R v H (2019) – successful prosecution of Catholic priest for horrific sexual offences, including multiple acts of buggery, on two young boys at a Lancashire seminary in the 1970s (prosecuting, as leading junior counsel)

R v C (2018) – trial of mentally-unwell defendant accused of raping his two young daughters over several years when entrusted by social services to care for them at weekends (defending)

R v R (2018) – historic abuse by Catholic priest at a boarding school in the Midlands. Successful submission of no case to answer at close of prosecution case – client acquitted (defending)

R v AB (2017) – 13th life sentence imposed for the violent rape of a 15-year old school girl. The defendant had committed a spree of such rapes in the 1980s. Developments in DNA evidence allowed this cold case to be reopened 35 years after the offence was committed (prosecuting)

R v P (2017) – represented one of six men charged with gang rapes of a young teenage girl. At trial, following several days of legal argument on admissibility issues, the Crown’s case collapsed mid-way through cross-examination of the complainant. The Crown offered no evidence in respect of all defendants (defending)

R v M (2016) – police officer prosecuted for gross sexual offences against large number of vulnerable females (defending)

R v S (2014) – multiple rapes – client acquitted by the jury (defending)

### **Drugs (as King’s Counsel)**

R v B & others (Operation Estavan) (ongoing) – prosecution of nine defendants for supply of hundreds of kilograms of Class A and B drugs on a national scale facilitated by the use of encrypted mobile devices (prosecuting)

### **Drugs (pre-King's Counsel)**

R v H & others (2020) – prosecution of seven defendants involved in a large-scale conspiracy to supply Class A drugs to users in Barrow-in-Furness – county lines case (prosecuting)

R v T (2019) – represented one of 13 defendants tried for conspiracy to supply cocaine on a national scale (defending)

R v H & others (2015) – successful six-week trial of organised criminal gang for international drug conspiracy to import £6 million of cocaine and amphetamine (prosecuting, as led junior counsel)

R v X (2013) – multi-handed conspiracy to produce cannabis and money laundering – six-week trial – David's client was the only defendant to be acquitted

R v M (2013) – multi-handed international drug importation/conspiracy to supply (defending)

R v F (2010) – multi-handed conspiracy by serving police officers supplying illegal drugs to the criminal fraternity (defending)

### **Other (as King's Counsel)**

R v F (2023) – successful businessman charged with money laundering after being stopped in possession of £350,000 as he was about to travel to the continent via the Eurotunnel. Prosecution contended for a starting point of five years' imprisonment; the judge accepted David's submissions and imposed a suspended sentence (defending)

R v M (2023) – trial of a serving police officer for causing serious injury by dangerous driving on her way to an ongoing domestic violence incident (defending)

R v S (Operation Hydra) (2023) – successful prosecution of a long-serving Crown Prosecution Service employee for misconduct in public office and computer misuse – defendant had obtained highly confidential information and had provided it (via third parties) to criminals (prosecuting)

R v B (2022) – causing serious injury by dangerous driving – two motorists sustained catastrophic injuries following dramatic head-on collision in north Wales (defending)

### **Other (pre-King's Counsel)**

R v S & others (2020) – successfully represented professional footballer accused of involvement in a conspiracy to facilitate illegal immigration of Iranian nationals – acquitted on the direction of the judge after two weeks of trial (defending)

R v M (2019) – represented one of a number of police officers at trial for conspiracy to pervert the course of justice by manipulation of an identification procedure (defending, as led junior counsel)

R v C (2015) – secured the unanimous acquittal by the jury of serving detective constable charged with 11 offences under the Data Protection Act 1998 and the Computer Misuse Act 1990 arising from her alleged abuse of police computer systems between 2010 and 2014 (defending)

R v P (2014) – multi-handed sham marriage conspiracy (defending)

R v C (2013) – multi-handed conspiracy to manage brothels on a national scale (defending)

R v A (2012) – death by dangerous driving – client driving at speed causing death of cyclist (defending)

R v A (2011) – death by dangerous driving – teenager causing multiple deaths of passengers in own vehicle (prosecuting)

R v C (2010) – serving police officer charged with dangerous driving following serious multi-vehicle collision – acquitted (defending)

### **Appeal Cases (as King’s Counsel)**

R v Walker [2023] EWCA Crim 548 – an appeal examining whether a Hospital and Limitation Direction under section 45A of the Mental Health Act 1983 ought to have been imposed in place of a sentence of life imprisonment for manslaughter (prosecuting)

R v Smith (2022) – successful appeal to the Court of Appeal – the court accepted David’s submissions against the sentencing judge’s imposition of a life sentence for multiple rapes against two complainants whilst they slept (defending)

### **Appeal Cases (pre-King’s Counsel)**

R v D (2014) – successful sentence appeal to the Court of Appeal concerning the imposition of a section 41 Restriction Order, (contrary to unanimous medical opinion), with a section 37 Hospital Order under the Mental Health Act 1983 (defending)

R v A (2014) – Attorney-General’s Reference No 33 of 2014 – applicability of Sentencing Guidelines to an offence of incitement to commit sexual offences on a 15-month old baby outside the United Kingdom (defending)

R v Milne [2014] EWCA Crim 99 – successful sentence appeal based on disparity between offenders convicted of conspiracy to import Class A drugs (defending)

R v MK [2007] EWCA Crim 3150 – successful Terminating Ruling Appeal to the Court of Appeal concerning the evidential status of telephone calls discussing drugs costs as hearsay/implied assertions (prosecuting)

R v Emery [2004] 2 Cr App R (S) 141 – sentence appeal to the Court of Appeal concerning the impact of the condition of sleep apnoea on an offender convicted of death by dangerous driving on the M6 motorway (defending)

## Beyond the Bar

Trainer on courses around the UK for Healthcare Professionals and Medical Expert Witnesses

Junior of the Northern Circuit (2003)

Past winner of The Times Newspaper/Thomson Holidays Young Travel Writer of the Year

Drumming

## Education

Oxford University, BA Hons, Modern History, 1991-1994

Open University, Post-Graduate Certificate In Education, 1995

City University, Graduate Diploma In Law, 1997-1998

Inns of Court School of Law, Bar Vocational Course, 1998-1999