




## David Temkin

Call 2000



### Clerks' Details

-  Nick Buckley  
 0161 817 2757
-  Dave Haley  
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### Appointments

- Recorder (2018)
- Pupil Supervisor (2014)
- Visiting Lecturer in 'Professional Discipline at the BPP University of the Bar Professional Training Course

### Memberships

- Criminal Bar Association
- Association of Regulatory & Disciplinary Lawyers

### 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

### Criminal CV

#### Overview

David prosecutes and defends. He has been led in many cases and is frequently instructed as leading counsel. He has defended in numerous complex and sensitive trials in recent years. David's capacity for sheer hard work, his common sense approach with clients and his dedication to his cases have meant that he has a very busy practice.

He fights cases with vigour and enthusiasm. He has enjoyed a range of highly successful outcomes in trials concerned with such allegations as fraudulent trading, murder, historic abuse and drug conspiracies.

David is a Grade 4 CPS Advocate and in 2006 was appointed to the Attorney-General's Unified List of Prosecutors. In 2012, he was appointed to the national list of Specialist Regulatory Advocates in Health & Safety and Environmental Law.

## Recommendations

### Legal Directories

“A great advocate; judges respect him.”

**The Legal 500 2018/19**

“Very hardworking and a great lawyer.”

**The Legal 500 2017**

### Client Testimonials

David Temkin is one of the brightest barristers I know.

David is possibly one of the best barristers that I have dealt with in my 15 years.

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.

David was more than able to match the other side's QC in his oratorical and analytical skills.

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.”

A talented stand-out junior who is committed, hard-working with a forensic eye for detail.

The family was very impressed with David. He took the time to engage with them.

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

## Cases

**R v AH and others (2018-19)** – alleged fraud valued at £1.3 million – business said to have systematically exploited payment arrangements for posting parcels through the Royal Mail network – proceedings ongoing (defending)

**R v AA and others (2017)** – fraudulent trading – complicated trial under the provisions of section 993 of the Companies Act 2006; additional allegations of acting in contravention of a disqualification order – client acquitted after trial (defending)

**R v AB (2017)** - 13<sup>th</sup> life sentence imposed for the violent rape of a 15-year old school girl. The Defendant 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 MP and others (2017)** – Fraudulent trading, fraud and money laundering – David was leading counsel, representing a prominent Lincolnshire businessman accused of dishonesty to the value of over £680,000. David successfully persuaded the court to stop the case against his client after two weeks of complex financial evidence (defending)

**R v A, B & A (2017)** – Murder – allegation that the deceased was murdered for the financial gain of his new wife and her lover (prosecuting)

**R v A (2017)** – Murder – stabbing (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 C (2016)** – Fraud – Senior Contracts Manager at Lancashire County Council fraudulently obtained nearly £1 million of public money by dishonest means (defending)

**R v B (2016)** – Murder of a homeless man in Manchester city centre (defending)

**R v C (2015)** – unanimous acquittal 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

**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 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 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 P (2014)** – Multi-handed sham marriage conspiracy (defending)

**R v H (2014)** – Multi-handed conspiracy to import £6 million of Class A drugs (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 S (2014)** – Multiple Rapes – client acquitted by the jury (defending)

**R v X (2013)** – Multi-handed Conspiracy to Produce Cannabis & Money Laundering – six week trial – David’s client was the only defendant to be acquitted

**R v A (2013)** – Multi-handed conspiracy to launder £200 million of alleged criminal money - Crown offered no evidence in response to abuse of process submissions (defending).

**R v W (2013)** – Multi-handed mortgage fraud, valued at over £4 million (prosecuting)

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

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

**R v H (2012)** – Multi-handed violent disorder by members of the English Defence League (prosecuting)

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

**R v B (2011)** – Multi-handed Asian gang-rape and child-grooming (defending)

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

**R v O (2011)** – Multiple fraud culminating in VAT fraud, valued at £161 million (prosecuting)

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

**R v G (2010)** – Multi-handed Chinese money laundering (defending)

**R v Y (2010)** – Historic sex abuse trial involving multiple child complainants (defending)

**R v F (2010)** – Large-scale conspiracy to defraud by employees of Trafford Metropolitan Borough Council. Client acquitted after legal argument (defending)

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

**R v M (2009)** – Multi-handed Manchester gangland/firearms trial (defending)

**R v M (2009)** – Child cruelty case involving complicated medical issues of causation of injuries (prosecuting)

**R v B (2009)** – Murder trial in which the issue was causation; client acquitted after legal argument (defending)

**R v G (2009)** – Multi-handed Chinese money laundering (defending)

**R v T (2009)** – Multi-handed Caribbean cocaine importation (defending)

**R v Y (2008)** – Multi-handed historical rape/sexual abuse (defending)

**GMC v Dr F (2008)** – Senior doctor facing allegations of dishonesty before the General Medical Council (defending)

**R v MK [2007] EWCA Crim 3150** – Terminating Ruling Appeal to the Court of Appeal concerning the evidential status of mobile telephone text messages as hearsay/implied assertions.

**R v C (2007)** – Multi-handed murder of a teenager (defending)

**R v A (2006)** – Businessman charged with conspiracy to defraud arising out of allegations of organising bogus driving tests – acquitted (defending)

**R v C (2006)** – Courts Martial at Catterick Garrison, concerning internal dishonesty within an army unit (defending)

**R v A (2005)** – Multi-million pound international tax fraud/cigarette smuggling

(defending)

***R v Emery [2004] 2 Cr App R (S) 141*** – Sentence Appeal to the Court of Appeal concerning the effect of the condition of sleep apnoea on a defendant convicted of death by dangerous driving on the M6 motorway.

***R v S (2003)*** – Multi-handed gangland conspiracy to murder (defending)

## Beyond the Bar

Visiting Lecturer in “Professional Discipline” at the BPP University on the Bar Professional Training Course

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