

John Cammegh K.C.

YEAR OF CALL: 1987 | YEAR OF SILK: 2019



“John fights his client’s corner with intelligence and style. He is a hugely cogent silk, with a beguiling jury manner.”

THE LEGAL 500 2022

Practice Overview

John Cammegh KC is a highly accomplished Silk, uniquely experienced in practising at the highest level in both domestic and international criminal courts over the past two decades.

He has been recognised as a leading criminal Silk by The Legal 500 since his appointment in 2019.

He has extensive international criminal law experience and as a result, accepts instructions in

this area and related extradition matters.

He also accepts instructions in Business Crime and Regulatory cases.

“He has a knack of communicating very well with clients.”

The Legal 500 2023

“John fights his client’s corner with intelligence and style.”

The Legal 500 2022

Criminal Law

Primarily a defence advocate, he has further broadened his expertise since taking Silk by successfully acting for the prosecution in a series of notorious murder trials in recent years. John specialises in cases of homicide, organised use and supply of drugs and firearms, people trafficking and complex sexual offences. Combining close attention to detail and his customary down to earth manner he is highly skilled at gaining the confidence of clients, juries and judges alike.

Whether through his cross examination of expert witnesses or co-defendants in cut-throat cases, or through his rare ability to address juries with both precision and panache he is widely known as a formidable trial advocate.

John’s cases frequently receive national press coverage:

Most recently in 2023, he prosecuted the multiple killer **Lawrence Berton** who received a whole life order for the murder of a third elderly victim. The case has led to widespread calls for an inquiry into Probation Service conduct and oversight.

In 2022, John successfully prosecuted **Ross McCullum** for the notorious Megan Newborough murder.

In 2021, he successfully defended in R v M and another, a complex drugs-related murder linked to organised crime.

In 2020, he acted in the case of **Reader and Welch**, involving the shooting of the co-defendant’s ex-wife, which was subsequently subject of a television documentary. He has

acted for appellants in the Court of Appeal, having been granted leave in cases involving loss of control defences.

International Criminal Law

John has extensive International Criminal law experience. He is a highly experienced practitioner in this field. He is able to take command of the complex political and factual landscape of each case and his ability to gain the confidence of the most demanding clients and tribunals.

He acted as lead counsel in a 4 year trial in Sierra Leone having advised the defence in the Bangladesh Genocide trial (the first international tribunal to impose the death penalty).

“John is very approachable and has an understanding of lay clients' needs. He has a knack of communicating very well with clients and as a result gets the best of instructions from clients.”

The Legal 500 2023

“He defends in various violent cases.”

The Legal 500 2019

Recent Criminal Instructions:

R v B, 2023 – Prosecuted murder of 73 year old woman bludgeoned to death in her own home by B who had been at liberty for just 15 months following his release from life imprisonment for the 1995 murder of two elderly sisters in strikingly similar circumstances. The jury rejected B's defence of diminished responsibility after important concessions made by a defence psychiatrist during cross examination. B received a whole life order, one of only 60 living prisoners in UK currently serving such a sentence.

R v A and others, 2023 – Defended in long running multi-handed conspiracy to convey drugs, phones and contraband into prisons via drones.

R v R, R, R and D 2023 – Prosecuted murder of 85 year old convicted child sex offender by two brothers, assisted by others, who tricked the victim into driving them to a remote location where they bludgeoned him to death with a car gearbox.

R v B 2023 – Acting for B, currently tried for murder of partner by stabbing her to death in domestic argument in front of their 3 children, each of whom gave evidence in s28 proceedings.

R v W and W 2022 – Privately funded defence of W, aged 90 at trial, and 82 wife both charged with serial sexual offences against their daughter and another child in the 1970s. Arguments re fitness to stand trial and mitigation on basis of W's terminal illness after guilty verdicts.

- **R v McC 2022** – Successful prosecution of M after 9 week nationally-reported trial re the brutal murder of a 23 year old work colleague. Having strangled his victim McC attempted to decapitate her with a kitchen knife. Prosecution evidence relied heavily on phone and internet searches as well as expert pathology and neuro-pathology evidence. Psychiatric and psychological experts gave evidence regarding loss of control and diminished responsibility.

R v SM and another 2022 – Acted for SM in cut-throat murder trial in which he and his partner H were alleged to have targeted an elderly victim. Prosecution ran the case as murder for gain. SM had severe mental health issues. Leave granted to appeal conviction to Court of Appeal after trial judge withdrew loss of control from the jury.

R v F 2022 – Prosecuted murder of a young mother by her former partner. After weeks of stalking and intimidation F lured his victim into her back garden where he murdered her in a frenzied knife attack, the incident being recorded on cctv. Defence of diminished responsibility was rejected by the jury; F received 27 years custody.

R v M and another 2021 – Acting for young rap artist charged with murder after co-defendant stabbed a rival drug dealer to death following a long standing gang-related feud. After a 2 month trial M was acquitted; he is now pursuing a successful music career. Trial involved expert evidence on drill lyrics and urban language.

R v B 2021 – Acted for defendant charged with manslaughter after death of victim from meningitis several weeks after street fight in which he sustained fractured ribs. The issue was causation: the case turned on orthopaedic, toxicology, pathology and neuro-pathology evidence from several expert witnesses, requiring in-depth understanding of complex medical issues and forensic cross examination.

R v R and W 2020 – Acted for W, a lifelong friend of R, who shot his wife from close range in her car. W was alleged to have maintained and monitored a tracking device on the victim's car over a period of about a year, but not to have been the shooter. Case relied on complex and

cutting edge mobile tracking technology. At trial, R unexpectedly blamed W for the murder, resulting in JCKC's two-day hostile cross examination of R, who was quickly convicted. The jury eventually returned a majority 10-2 guilty verdict against W after 5 days in retirement.

International Criminal Instructions:

2004 – 2014 John was lead counsel in long-running **international criminal tribunals** in **Sierra Leone and Bangladesh**, the latter gaining him access to high level government and political figures in Washington DC and the UN.

He achieved success as lead counsel for the rebel commander Augustine Gbao in **the 2004-2009 RUF trial at the Special Court of Sierra Leone**, securing more acquittals and a lower sentence than all other accused on an indictment including war crimes, crimes against humanity, mass abduction of UN personnel and the use of child soldiers.

From **2011 to 2014** John acted for five members of the Bangladesh Jamaat e Islami party. They were tried, and all but one eventually executed for genocide, crimes against humanity and war crimes before the notorious **International Crimes Tribunal in Dhaka, Bangladesh**. In **2014** John **advised judicial and law enforcement emigres opposed to the Assad regime** at an FCO-backed conference in Gaziantep, Turkey, prior to ISIS and government attacks on the population in northern Syria.

In **2014** he presented at an **Anti-Bribery and Corruption conference in Abuja, Nigeria** organised by the Nigerian National Security Advisor and attended by state governors. John has advised at government level on international criminal issues and the efficacy of ad hoc tribunals. He has substantial international lobbying experience, notably in the Congressional and Senate Houses, the US State Department and in the Pentagon, Washington DC. He has lectured widely and has contributed to various international publications, as well as international television and radio.

Criminal Defence

John has extensive experience of defending serious criminal cases at the highest level.

Criminal Prosecutions - Private & Public

John prosecutes demanding, complex and high-profile criminal cases.

Extradition & International

John has extensive international criminal law experience. He accepts instructions in appropriate international criminal law and extradition matters.

Business Crime & Financial Regulation

John accepts instructions in business crime & financial regulation matters.

Cases of Note

Serious Criminal Cases:

R v R, R, R and D 2023

Prosecuted murder of 85 year old convicted child sex offender by two brothers, assisted by others, who tricked victim into driving himself to his own death in a rural location where he was savagely beaten to death.

R v B 2023

Acting for B, currently tried for murder of partner by stabbing her to death in domestic argument in front of their 3 children, each of whom gave evidence in s28 proceedings. Loss of control defence.

R v W and W 2022

Successful prosecution of M after 7 week nationally-reported trial re the. notorious murder of a

23 year old work colleague. Having strangled his victim to death in his own home M attacked her with a knife causing such injuries the prosecution case was that he attempted to decapitate her.

R v M and others 2019

Acted for co-lead conspirator in multi handed Organised Crime Case alleging supply of firearms and class A drugs. Birmingham Crown Court

International Criminal Cases:

International Crimes Tribunal in Dhaka, Bangladesh

From 2011 to 2014 John acted for five members of the Jamaat e Islami party tried – and eventually executed – for genocide, crimes against humanity and war crimes before the notorious International Crimes Tribunal in Dhaka, Bangladesh.

Judicial advice at an FCO-backed conference in Gazientep

In 2014 he advised judicial and law enforcement emigres opposed to the Assad regime at an FCO-backed conference in Gazientep, Turkey prior to ISIS and government attacks on the population in northern Syria.

Anti-Bribery and Corruption conference in Abuja, Nigeria

In 2014 John presented at an Anti-Bribery and Corruption conference in Abuja, Nigeria organised by the Nigerian National Security Advisor and attended by state governors.

The Bangladesh International Crimes Tribunal 2011-2014

A 21ST Century Show Trial The ICT was instituted by a 1973 Act of the Bangladeshi parliament that aimed to try opposition armed forces personnel in the 1971 Liberation War with Pakistan. Adopting concepts from the Nuremburg trials the legislation was already obsolete according to modern standards. The Tribunal has been widely condemned as politically motivated and lacking in the most basic safeguards of the rights of the accused. It was the first tribunal since 1946 to provide for the death penalty. The accused were leading members of an opposition Islamic party, Jamaat e Islami, who had held the balance of power in successive governments since independence in 1971. Despite a 38 year delay, the newly-installed Awami

League government resurrected the International Crimes (Tribunals) Act in 2009, amending the Bangladeshi Constitution at the same time to curtail the rights of accused persons facing 'war crimes' allegations. As well as trial rights, the Act is silent on the definitions of war crimes and crimes against humanity, rendering it impossible for the defence to address core elements whilst allowing the government-appointed prosecution and judges free rein to mould the law as they chose amidst proceedings that provided for the death penalty. The Tribunal's express removal of the rules of evidence and rights to interlocutory appeal, its restriction of client-lawyer access and severe curtailment of the defence right to call witnesses were some of the methods used to ensure expedition of these cases before the 2013 election. Contrary to the Act's express provision for instruction of foreign counsel, the government barred John from taking his post in Dhaka, causing him to advise local counsel remotely on a daily basis from the UK. During the trial local defence counsel and witnesses 'disappeared', and large quantities of sensitive material were hacked from the UK defence team's computers. Foreign intelligence sources publicly 'outed' the presiding judge's collusion with the Bangladesh government via hacking devices. Unable to travel to Dhaka, John regularly travelled to the US, attending meetings at the UN in New York and in the Congressional Houses, the US State Department, the Pentagon and academic establishments in Washington DC advising officials of the wider dangers of these trials at a time of febrile Islamic fundamentalism.

Prosecutor v Augustine Gbao and others, Special Court of Sierra Leone 2004-2009

The RUF Trial: First Ever Indictments re Child Soldiers and Sexual Slavery The SCSL was set up after a joint agreement between the Sierra Leonian government and the UN to try those 'bearing the greatest responsibility' for the ten year civil war notorious for the Revolutionary United Front (RUF)'s campaign of terror directed at the civil population. By the war's end in 2002, Gbao was, as Overall Security Commander, one of the RUF's highest ranking survivors. With his two co-defendants he faced 18 counts of war crimes and crimes against humanity. Notably, the RUF case made history as the first to try offences of sexual slavery and forced marriage, the abduction of UN peacekeepers, and the use of child soldiers. The five year trial, one of the longest in history, involved more than 250 witnesses ranging from victims and notorious 'insider' former combatants to high ranking international and military figures including the former President. Controversial matters arising included the payment of prosecution witnesses, abuse of process concerning the prosecution's habitual failure to disclose exculpatory evidence, the repetitive addition of prosecution allegations unmentioned

in an already unwieldy indictment, and a motion for the recusal of a trial judge for published comments made during the case demonstrating bias against the defendants. The trial was based in Freetown, a UN 'hardship post' amidst hostile conditions where disease and personal safety, poor supply of fuel, power, and water and the constant rumours of armed uprising were ever present. The court's bureaucratic failings, its inability to properly administer resources and Gbao's initial refusal to participate exacerbated matters. As lead counsel John not only conducted all courtroom advocacy but also managed a team including co-counsel, legal assistants and local investigators. Duties ranged from potentially dangerous up-country investigation work to managing the team budget, as well as contributing to various conferences in Freetown and New York attended by high ranking diplomatic personnel from donor countries. John also regularly reported to the Foreign and Commonwealth Office on the trial's efficacy.

Controversial Application of Joint Criminal Enterprise

The verdicts largely acquitted Gbao both of personal commission and command responsibility of crimes alleged (including use of child soldiers, amputations, sexual offences, forced mining and ordering/participating in the notorious Kailahun mass execution of 1998). The majority of the Trial Chamber, however, convicted Gbao on several counts (with the notable exception of use of child soldiers) via the controversial Joint Criminal Enterprise mode of liability, most of which convictions were subsequently upheld-albeit by a majority-in the Appeals Chamber. Gbao's JCE conviction has been widely condemned by commentators and jurists as an abuse of the JCE concept and a setback for international criminal justice. By cynically substituting the mens rea of specific intent for one of reasonable foreseeability in order to convict Gbao on the basic intent mode of JCE liability, the majority of the Trial and Appeal Chambers found Gbao guilty of offences which, according to established JCE law, were impossible for him to commit. The import of this was that JCE was now effectively an offence of strict liability, implying guilt by association. Fortunately, with the prosecution's abandonment of JCE in the Taylor case (despite Gbao having been convicted of entering a JCE with Taylor), and recent decisions at the ICC, further misuse of JCE seems to have been curtailed. This was no consolation to Gbao who received 20 years imprisonment. John was re-assigned as counsel prior to Gbao's successful application for early release scheduled for June 2020.

Accreditation

