

# *Benjamin Burge*

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YEAR OF CALL: 2011



*Ben regularly prosecutes and defends in serious criminal cases. He is often instructed in niche private prosecutions and also has experience in personal injury and regulatory law.*

## *Overview*

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Since joining 5 St. Andrew's Hill in March 2013, Ben has regularly been instructed to both prosecute and defend in increasingly serious matters.

He is often instructed in niche private prosecutions and regulatory proceedings.

He also has experience in personal injury and regulatory law. Ben is on the approved advocate's panel for the General Dental Council (GDC).

## *Additional information*

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Before joining Chambers, Ben worked as a paralegal at Corker Binning Solicitors.

Between 2009 and 2011 he was appointed as an Independent Custody Visitor for the Avon and Somerset Police Authority.

## *Professional Panel Appointments*

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Level 3 CPS Prosecutor.

Specialist Level 2 CPS Prosecutor: Fraud and Serious Crime.

Band A (1-5 years' call) appointed advocate for the General Dental Council (GDC).

### **Education and Training**

Pupillage, Walnut House Chambers in Exeter.

Bar Professional Training Course, City Law School (Very Competent).

Law Degree, King's College London (First Class Honours).

### **Prizes**

Sir Francis Jacobs Prize for EC Law (2008).

Inner Temple Exhibition.

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## *Professional Memberships*

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Inner Temple.

Criminal Bar Association.

Kent Bar Mess.

Young Fraud Lawyer's Association.

## *Asset Recovery, Civil Fraud & Confiscation*

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Ben accepts instructions in relation to asset forfeiture and confiscation cases and has been recently instructed in a high-value confiscation case.

## *Business Crime*

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Ben accepts financial and business crime instructions.

## *Criminal Defence*

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Ben is regularly instructed to defend in the Crown, Magistrates' and Youth Courts. He has been instructed in a wide range of offences such as: assaults (inc. domestic violence), communications, drugs, public order and theft matters

Ben also represents individuals charged with an array of motoring and driving offences. Ben also appears in niche private prosecution cases.

## *Criminal Prosecutions*

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Ben is a level 2 CPS prosecutor and has experience prosecuting a range of matters in the Crown Court, including GBH, ABH, Possession with Intent to Supply (Class A and B), Robbery, Sexual Assaults, Fraud, Burglary and Dangerous Driving.

He is regularly instructed to prosecute in London and Kent and receives instructions from both the CPS and numerous Local Authorities. Ben's Local Authority prosecutions often involve Food Hygiene matters and Social Security Frauds.

## *Personal Injury & Professional Negligence*

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Ben has a knowledge and understanding of personal injury work from his time on the Western Circuit. He has acted for claimants in Small Claims Trials (RTAs), Quantum Hearings, Infant Approval Hearings and Charging Order Hearings.

## *Planning, Property, Landlord & Tenant*

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Ben accepts planning, property and landlord and tenant instructions.

## *Professional Discipline & Regulatory*

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Ben is an appointed panel member of the General Dental Council (GDC) list of appointed advocates in order to undertake all GDC fitness to practise work. Ben accepts regulatory and professional discipline instructions.

## *Cases of Note*

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### **Criminal Defence cases of note:**

#### **R v. N (Blackfriars Crown Court) (2016)**

The Defendant was unanimously acquitted of ABH and Possession of an Offensive Weapon following an allegation that he had repeatedly attacked the complainant with a hammer causing a number of injuries to his head.

#### **R v. A (Harrow Crown Court)(2015)**

Ben persuaded the Crown to offer no evidence on two counts of Theft and Possession of an

Offensive Weapon (meat cleaver).

**R v. Z (Sheffield Crown Court)(2015)**

The defendant was charged with Threats to Kill and ABH alongside co-defendants facing a charge of Attempted Murder. After a successful half-time submission, Mrs. Justice Andrews directed the jury to return a not guilty verdict on the Threats to Kill. The Crown subsequently offered no evidence on the ABH.

**R v. L (Canterbury Crown Court)(2014)**

The defendant was charged with Causing Bodily Harm with Wanton or Furious Driving. Ben persuaded the Crown to offer no evidence against the defendant after highlighting inconsistencies between the witnesses' evidence and CCTV footage as to which motorbike had hit the grounds man on the golf course.

**R v. B (Maidstone Crown Court)(2014)**

Ben acted for a defendant charged with numerous counts of Possession with Intent to Supply (Class A). After discussions with the Crown, the trial proceeded on one count and the defendant was acquitted.

**R v. G (Croydon Crown Court)(2014)**

After pleading guilty to Fraud by False Representation on the day of trial, the defendant received a sentence of 4 months' imprisonment suspended for 15 months. This was despite obtaining a significant sum of money through a fake telephone agency and having previous convictions for dishonesty, the most recent being for a like offence.

**R v. B (Birmingham Crown Court)(2014)**

The Crown offered no evidence after a trial in which the co-defendant was unanimously convicted of several counts of Benefit Fraud. The case involved the use of an interpreter and a cut-throat defence requiring the cross-examination of family members.

**R v. B (Kingston Crown Court (2014)**

The defendant was acquitted of Possession of a Bladed Article.

**Driving cases of note:****R v. D (Greenwich Magistrates' Court)(2015)**

Ben secured the acquittal of an individual charged with being Drunk in Charge. The police officers had discovered him sat in the driver's seat of a car, with others, parked on a main road in the early hours of the morning with the keys on the dashboard.

**R v. K (Brent Magistrates' Court)(2014)**

The defendant, a foreign national, was acquitted of being Drunk in Charge. Officers had arrested him in the driver's seat, with the keys, after noticing the rear brake lights.

**Youth Court cases of note:****R v. D (Basildon Youth Court)(2015)**

A 17 year old defendant was acquitted of four charges of Aggravated Arson said to have been committed at her home address. The case involved the cross-examination of an eight year old via video-link, and his mother, over who had started the fires.