

# *Danielle Barden*

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YEAR OF CALL: 2014



*Danielle Barden specialises in criminal and extradition law. Danielle also practises in public, prison and civil law.*

## *Overview*

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Danielle Barden specialises in criminal and extradition law. Danielle also practises in public, prison and civil law.

She regularly appears in the Crown, Magistrates' and Youth Courts for both the prosecution and the defence in a range of criminal matters, including both general and white collar crime.

Danielle is a barrister who has a broad practice and attends the Magistrates' Court and High

Court regularly in extradition matters.

She is instructed in proceedings under the Proceeds of Crime Act 2002, which include confiscation and enforcement proceedings at the Crown, Magistrates' Courts and Court of Appeal.

## *Professional panel appointments*

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Crown Prosecution Service (CPS) advocates panel at Level 2: South Eastern and Midlands Circuit.

## *Additional information*

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Before coming to the bar Danielle worked at a specialist criminal defence firm in North West London. She specialised in confiscation law throughout her time at the firm. During her time at the firm she also assisted in the preparation of a multi-million-pound fraud trial, an action against the police and a judicial review concerning the improper seizure and detention of cash.

### **Education**

City Law School, BPTC.

Cardiff University, LLB Law.

## *Professional Memberships*

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Middle Temple.

Middle Temple Young Barristers' Association.

Defence Extradition Lawyers' Forum.

Young Fraud Lawyers Association.

## *Asset Recovery, Civil Fraud & Confiscation*

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Danielle regularly appears at confiscation proceedings at the Crown Court.

She appears at enforcement proceedings at the Magistrates' Court concerning the activation of default sentences for the non-payment of confiscation orders.

Recently she has successfully opposed the activation of a number of default sentences for clients whose outstanding confiscation orders have ranged in value from thousands to hundreds of thousands of pounds.

## *Business Crime*

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Danielle has experience of financial and business crime cases, particularly cases involving allegations of fraud.

Danielle accepts instructions prosecuting and defending business crime cases.

She has recently appeared on behalf of the Crown in the sentencing of high-value fraud offences at the Crown Court.

## *Criminal Defence*

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Danielle is a skilled criminal defence barrister. She is instructed to defend in the full range of criminal cases as a junior and being led.

Danielle has experience at the Crown Court concerning offences including fraud, burglary, assault, stalking and drugs. She has also regularly appeared at the Magistrates', Youth and Crown Courts in a wide range of cases involving joint enterprise, multiple co-defendants and offences including assault, theft, driving and criminal damage.

The undoubted brilliance of Miss Danielle Barden, was I believe the difference between the not guilty judgement the jury delivered and the very real prospect of being found guilty and therefore

losing my clean record, a thing I didn't really value until it was hanging on a razor's edge.

I can't sing the praises of Miss Barden enough, her pure professionalism, her determination to get the result required, her willingness to go that extra mile in a worthwhile cause, her sheer mastery of the court room setting. I can only imagine the hours that Danielle spent preparing the final summing up of all the details of the case to the jury just before they went out to deliberate and in doing so making mincemeat of all the prosecutor's arguments.

Feedback from lay client in a crown court trial for theft and burglary where he was acquitted.

## *Criminal Prosecutions*

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Danielle is a skilled advocate within the field of criminal proceedings. Danielle is regularly instructed to prosecute in the Crown, Magistrates' and Youth Court.

## *Extradition & International*

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Danielle regularly appears in extradition proceedings at Westminster Magistrates' Court and the Royal Courts of Justice. She represents defendants whose extradition has been requested to countries throughout Europe and has assisted in a number of lengthy extradition cases involving Part 2 countries.

Danielle has successfully defended Requested Persons on the grounds of Article 8 at both the Magistrates' and High Courts.

She has acted in cases concerning prison conditions amounting to the inhuman and degrading treatment of prisoners, including those in Romania and France. She represents Requested Persons on the basis of the full range of issues that fall under the Extradition Act 2003.

Danielle has also assisted clients with the drafting of letters to Interpol concerning the request for the removal of and information concerning Interpol Red Notices.

## *Judicial Review & Public Law*

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Danielle accepts instructions in public law. She has experience in the preparation of public law cases before coming to the Bar.

## *Professional Discipline & Regulatory*

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Danielle accepts professional discipline and regulatory instructions.

## *Cases of Note*

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### **CRIME**

#### **R v F**

Represented a defendant at the Crown Court accused of the commission of burglary and theft against his own sibling. The case required a delicate hand in cross-examination given the nature of the relationship between the parties involved. The defendant was acquitted of all counts.

#### **R v W**

Successfully defended a case of stalking where an allegation had been made by a drugs key worker against one of her patients. In order to succeed, detailed analysis and explanation of the law to the jury in the form of a powerful jury speech was required.

#### **R v B**

Represented a defendant at the Crown Court who was jointly accused of committing a burglary, the evidence of which relied on the account of a police dog handler.

#### **R v P**

Successfully represented a defendant at the Crown Court accused of the commission of a

burglary. The issue in the case was identification. A facial mapping expert was relied on by the defence to secure the acquittal of the defendant based on a successful dispute over the quality of the identification evidence.

#### **R v T**

Represented a defendant in sentencing proceedings at the Crown Court concerning the attempted abduction of a child.

#### **BUSINESS CRIME/ASSET RECOVERY AND CONFISCATION:**

#### **R v A**

Successfully negotiated a favourable confiscation order for a defendant that reflected the accurate available amount and was significantly lesser than the originally applied for by the Crown.

#### **R v J**

Acted for the Crown in the sentencing of £144,000 fraud involving the defendant abusing the trust of his employer by using his position to purchase and sell on goods for his own benefit.

#### **EXTRADITION AND INTERNATIONAL**

#### **Poland v Z**

Successfully represented a Requested Person in an appeal to the High Court where the issue was whether the extradition of the Requested Person was proportionate under Article 8 of the European Convention on Human Rights given the time that remained to be served.

#### **Germany v R**

Represented a Requested Person in an appeal to the High Court made on the basis of section 12A of the Extradition Act 2003.

#### **Poland v K**

Successfully represented a Requested Person at the Magistrates' Court in opposing extradition to Poland on the grounds of proportionality under Article 8.