

Gemma Rose

YEAR OF CALL: 2015



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Overview

Gemma is a barrister practising in criminal, proceeds of crime, family and extradition proceedings.

Here's what some of those who have worked with Gemma have to say about her:

"I found her to be hardworking, ever-present when needed, her knowledge was sound, clear and direct; and that she has a natural affinity for criminal litigation."

“Her communication skills are first class, and she strikes up an instant rapport with clients – engaging them fully and inviting confidence and trust.”

Gemma also has experience working with the National Crime Agency (NCA), having advised on a wide range of data protection and operational matters, which involved dealing with a variety of jurisdictions and statutory instruments. This role included reviewing legally privileged material as independent counsel and acting in applications for extensions of pre-charge bail.

Direct Public Access

Gemma accepts instructions under the direct access scheme, allowing members of the public to instruct Gemma directly to advise them on or represent them in suitable cases.

Professional Panel Appointments

CPS Advocate Panel Member Grade 2.

CPS Specialist Prosecutor: Extradition Grade 1.

Education

University of Law - BPTC – Very Competent

University of Warwick - Law (LLB) – 2:1

Professional Memberships

Inner Temple.

Criminal Bar Association.

Women in Criminal Law.

Defence Extradition Lawyers Forum.

Young Fraud Lawyers Association.

Women in Family Law.

Proceeds of Crime Lawyers Association.

Asset Recovery, Civil Fraud & Confiscation

Gemma has a growing practice in the area of cash forfeiture, regularly appearing in these proceedings on behalf of the National Crime Agency (NCA). She also has experience dealing with listed assets and restraint orders.

She has appeared on behalf of the Metropolitan Police in account forfeiture proceedings. One notable case concerned a wife's suspected link to a money laundering scheme run by her husband. The sums involved in this scheme ran into the millions. This case required careful preparation of legal arguments and a detailed review of the respondent's bank accounts. Ultimately the application was conceded by the respondent following the court ruling in favour of the submissions put forward on behalf of the police.

Gemma accepts instructions in confiscation proceedings. She was recently instructed in appealing a confiscation order in the Court of Appeal through the Criminal Cases Review Commission in the sum of around £17,000. The appeal concerned legal argument in respect of the original benefit figure being calculated incorrectly. Following lengthy submissions the appeal was allowed and the order reduced to £3225.

Gemma has experience dealing with enforcement proceedings in the Magistrates' Court on behalf of clients, successfully avoiding default terms being activated.

Criminal Defence

Gemma has experience prosecuting and defending a wide range of criminal offences in the Crown, Youth and Magistrates' Court. These range from violent and sexual offences to those related to the supply and possession of drugs and dishonesty. She has also defended those accused of fraud and money laundering.

Some of her instructions in the Youth Court have included vulnerable young defendants charged with gang related offences involving DNA and CCTV evidence. Gemma is well versed

in representing those individuals who may fall under the National Referral Mechanism scheme in relation to modern slavery.

She is regularly instructed in private driving matters in both the Magistrates' and Crown Court, obtaining successful results on behalf of her clients.

Criminal Prosecutions - Private & Public

Gemma has experience of prosecuting in a wide range of criminal offences in the Magistrates' and Crown Court.

She has appeared in private prosecutions concerning a variety of trademark offences.

Extradition & International

Gemma has been instructed to act on behalf of clients facing extradition under both part 1 and part 2 warrants, including countries such as Spain, Albania, Italy, France and Poland. She has a wide range of experience dealing with case management, final hearings and advising on appeals to the High Court.

Family, Children & International Family

Gemma accepts instructions in both private and public children proceedings, appearing for both the applicant and the respondent. She has also appeared on behalf of the Guardian in private children proceedings. She has experience dealing with allegations of domestic violence and serious accusations of harm against children.

Gemma has experience representing both the applicant and respondent in applications for occupation and non-molestation orders.

She has also appeared on behalf of the police, dealing with sensitive disclosure applications in family proceedings.

Business Crime

Gemma accepts instructions in relation to Business Crime and Financial Crime cases.

Inquests & Inquiries & Immigration

Gemma accepts instructions in relation to Public Inquiries & Inquests and she also accepts instructions in relation to Immigration matters.

Cases of Note

Criminal Case of Note

R v N [2021]

Gemma successfully defended a client charged with serious offences of false imprisonment and assault in a domestic context.

R v S [2019]

Gemma's client was charged with dangerous driving and received a 9-month custodial sentence suspended for 2 years following a Newton hearing in the Crown Court. The conduct accepted by D involved several periods of driving with someone on the bonnet of their vehicle.

R v EH [2019]

Gemma prosecuted a committal for sentence where a 16-year-old was sentenced to 3 years detention for an offence of arson with intent to endanger life. The case involved issues surrounding the basis on which D should be sentenced following conviction at trial.

R v M [2019]

Represented a client charged with s.18 GBH. D was said to have kicked an ex-partner and

broken her arm. Following PTPH the Crown accepted D's plea to a s.20 on the basis of recklessness. Gemma's client was sentenced to 21 months' imprisonment.

R v B [2018]

Gemma successfully argued that exceptional hardship should be found by the bench. Her client was being sentenced for 9 offences of speeding which had all accumulated in a 2-week period. 33 points were endorsed on D's licence but he was not disqualified under the 'totting' provisions.

R v S [2018]

Gemma represented a client at his sentence for facilitating a breach of immigration law. D was sentenced to 3 years imprisonment in a case where he had driven 6 strangers into the UK using a specially adapted vehicle, and had accepted he was going to receive £10,000 for doing so.

R v D [2018]

Gemma successfully represented a youth client acquitted at trial for an offence of ABH where the issue was self-defence and it was accepted D had hit C with a belt buckle. The trial involved the use of social media evidence and a non-defendant bad character application which was granted by the court.