



John Waller

YEAR OF CALL: 2015 - ADMITTED TO THE ROLL: 2007

EXPERTISE

Although only recently called to the Bar, John has solely been working in criminal law since 2005. John was admitted to the roll as a Solicitor in 2007 after completing his training contract at a highly regarded criminal defence firm in Soho. He became a Duty Solicitor in 2008 and attained his Higher Rights of Audience in early 2012. Since then he has practised solely in the Crown Court.

John has considerable experience in all areas of criminal law, ranging from the police station to the Court of Appeal. Consequently John has been instructed in serious cases of violence, sexual offences and fraud. From his eight years as a Solicitor, John brings a different approach from traditional Counsel. He has experienced both roles and consequently understands the pressures and demands that instructing solicitors and clients can face. John is an approachable advocate who is able to build an instant rapport with both clients and solicitors alike.

In addition to his Crown Court practice John is able to accept private instructions in relation to driving offences. He has extensive experience defending in matters of excess alcohol, careless driving and speeding. John can offer advice and robustly argue special reasons and matters of exceptional hardship.

SIGNIFICANT CASES

Sexual Offences

R v G - September 2014

Led by junior Counsel in a historic case of sexual abuse of a number of young boys. It had been alleged that G had committed buggery, indecently and grossly assaulted the boys whilst he was a Scout Master at RAF Gatow in West Germany. Due to the fact that G was in the service of the RAF at the time the offences were committed he was tried by Court Martial. G was acquitted of the most serious offences of buggery which he had always denied. This case attracted international press attention.

News Reports can be found here: <http://www.bbc.co.uk/news/uk-29548308>

<http://www.ibtimes.co.uk/ex-raf-intelligence-officer-eddie-graham-jailed-13-years-string-assaults-boys-1980s-1474135>

R v F - December 2014 - Court of Appeal

Successful appeal against sentence. F had received a sentence of 32 months for possession of just over 247,000 indecent images of children. In sentencing the Learned Judge stated that "he had never come across such numbers" and therefore the sentencing guidelines did not apply. It was subsequently argued at the Court of Appeal that the sentence was manifestly excessive as the Learned Judge had adopted too high a starting point. The sentence was reduced to 24 months.

R v S - December 2014

S faced trial in relation to an offence of Sexual Assault on an eight year old child. This case involved the careful cross-examination of the very young complainant. S was acquitted following a six day trial.

R v K - March 2015

Defendant was acquitted unanimously of two offences of Sexual Assault. This case was notable as K had pleaded guilty to offences of Attempted GBH with Intent and Robbery, these offences immediately preceded the alleged sexual assaults. K was tried for these offences with his co-defendant

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who faced trial for the robbery and GBH offences as the Learned Judge had not allowed a severance application. Despite the prejudice that K faced as the jury were made fully aware of the offences to which he had pleaded guilty, K was unanimously acquitted of both offences.

News Report can be found here: <http://www.maidenhead-advertiser.co.uk/News/Areas/Maidenhead/Prison-sentences-for-Desborough-Park-attackers-29042015.htm>

R v S - September 2015

S was alleged to have placed his hand up the complainant's skirt and touched her bottom whilst they walked home late at night. S denied that he had touched her sexually and that he simply walked past the complainant. S was unanimously acquitted in spite of the evidence of the complainant and her partner who stated that he had witnessed the entire incident.

R v R - December 2013

R faced trial in relation to an eleven-count indictment of various sexual offences, some of which were against children. It had been alleged that R had been sexually assaulting staff and customers at the stables which he ran with his long-term partner. There were five separate complainants and several witnesses of recent complaint. R was acquitted of seven of the eleven counts on the indictment over two trials.

Offences of Violence

R v C - February 2014

Led by Queens Counsel. C was accused of causing two separate counts of GBH with Intent on his 18 month year-old son. This was an emotive case that involved considerable cross-examination of experts in relation to the injuries on the child.

R v S - April 2014

S was charged with an offence of ABH where he was alleged to have bitten the complainant's ear lobe to the point where it almost became detached. S argued that he used reasonable self defence as he feared an imminent attack from the complainant. S was unanimously acquitted by the jury.

R v C - June 2014

C was unanimously acquitted of Threats to Kill, False Imprisonment and Common Assault of his former partner. This case was particularly notable as the defendant was a convicted murderer who had been released on life licence. Therefore the risk of prejudice before the jury was considerable as was the risk of conviction due to his licence conditions.

News Report can be found here: <http://www.getreading.co.uk/news/local-news/man-accused-threats-kill-false-7205556>

R v T - July 2014

T was unanimously acquitted of GBH and ABH on two separate complainants. It was alleged that he had beaten and bitten both of his best friends (one of whom was female) following an alcohol fuelled argument. T denied that he had bitten neither of the alleged victims, running a mixture of reasonable self defence and a factual defence that one of the alleged victims had attacked the other.

R v W - May 2013

W faced trial in relation to an alleged unprovoked attack on her housemate which caused a fractured nose. The case involved a successful *voire dire* and the subsequent exclusion of damaging comments made by W upon arrest. The first jury were unable to reach a verdict, the second jury were able to unanimously acquit the complainant after thirty-five minutes.

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R v B - August 2013

B was jointly charged with Section 18, the Crown described this case as a “sustained and brutal attack” and resulted in the complainant receiving a subdural haematoma. The Crown therefore argued that this was a ‘category one’ offence. It was successfully argued at sentence that this was ‘category two’ offence which limited the sentence received.

Fraud Offences

R v N - September 2014

Four week trial at Winchester Crown Court. The offences of fraud related to a deception on match.com website where the gang preyed upon single women by posing as a prospective partner. One victim handed over £174,000 to a person she had never met. N was a money launderer. This trial attracted significant press attention due to its salacious nature.

News Report can be found here: <http://www.dailymail.co.uk/news/article-2729034/Vulnerable-women-using-Match-com-conned-220-000-pair-set-fake-profile-claiming-attractive-heir-awaiting-100m-fortune.html>

Miscellaneous Offences

R v J - January 2013

J faced trial in relation to an offence of with Arson (reckless as to whether life would be endangered). It was alleged that she had set fire to her partner’s flat in an act of revenge causing considerable damage and risk to other occupiers. The trial involved the successful cross-examination of the Crown’s own fire expert and cell site evidence. The jury unanimously acquitted J.

R v W - October 2013

W was unanimously acquitted of Possession with Intent to Supply a Class A Drug, namely cocaine. W had been found in car with 31 wraps of cocaine and cash which the Crown believed had come from drug use.

R v R - April 2014

R was one of three defendants facing trial in relation to a large Affray at a wedding. The case involved the cross examination of a large number of the wedding guests who were witnesses to the disorder. R was first on the indictment and was unanimously acquitted by the jury after a five day trial.

R v A - March 2014

A and his wife were charged with Child Neglect. It was alleged that A’s wife had been beating their son, causing injury, and that he had been complicit. A received a suspended sentence.

R v P - January 2015

P was one of four defendants charged in a serious case of Robbery and False Imprisonment. It was alleged that the four defendants had tied up and beaten the complainant and had stolen his car. The case involved numerous issues of bad character and forensic evidence.

R v R - April 2015

R faced trial in relation to a knifepoint Robbery. It was alleged that he and his co-defendant had attempted to break into the complainant’s home whilst threatening him with a knife. In R’s defence, it was advanced that the complainant was the aggressor and it was he who had threatened R with the knife. Following the successful cross-examination of the complainant and eye witnesses R was unanimously acquitted by the jury.

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R v B - April 2015

B had been arrested following a raid on his property (a travellers' site) which involved over 50 police officers and a police helicopter. He had faced trial on two count indictment of Possession of Firearms whilst Prohibited and Handling Stolen Goods. The case involved the cross examination of several police officers and an expert in firearms. The jury returned in less than an hour with unanimous not guilty verdicts.

R v T - May 2015

T faced trial in relation to the rare offence of Administering a Poison or Noxious Substance with Intent.

R v S - July 2015

S had been charged with four co-defendants in relation to offences of Conspiracy to Burgle. The Crown contended that the gang had burgled a large number of homes in the Surrey area. They had targeted homes in order to steal prestige vehicles which were never recovered. The case involved over a thousand pages of evidence: cell site and ANPR needed to be analysed. S was advised to plead guilty on the strength of the evidence and, with mitigation, received a low sentence of forty-eight months.

PROFESSIONAL ASSOCIATIONS

Criminal Bar Association
South Eastern Circuit

QUALIFICATIONS

BA (Hons)
Post Graduate Diploma in Law

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