

Robert Newcombe

Year of Call 1996

Robert practices in both London and the North East.

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He is a member of the Criminal Bar Association and the UK Environmental Law Association.

He acts for corporate clients charged with regulatory offences and undertakes publicly funded work for individuals charged with grave crimes. He also undertakes a wide variety of civil work, including environmental, aspects of planning (including High Court injunctions), contractual disputes (including construction), Enterprise Act enforcement proceedings, and inquests.

Recent lectures include:

- (a) Defending Environmental Prosecutions;
- (b) Firearms: Law and Case Management
- (c) Obtaining Enforcement Orders under the Enterprise Act.

Robert enjoys mastering the detail of forensic expert witnesses and scientific and engineering evidence.

His approach to preparation translates into cogent written advice, clear and logical drafting and advocacy which is precise and persuasive.

Robert acts as leading junior, has represented an appellant in an appeal against conviction (rape) and been lead by Queen's Counsel in numerous murder/manslaughter cases at the Central Criminal Court. Below is a selection of recent cases.

R v N (2009) Central Criminal Court – Attempted Murder – acquitted, but convicted of aggravated burglary and possession of firearm whilst committing a Schedule 1 offence. Joint enterprise; co-defendant convicted on all counts.

R v S (2009) Central Criminal Court- Attempted Murder – complainant shot in head; joint enterprise; defence of accidental discharge: acquitted.

R v I (2009) Wolverhampton Crown Court – S. 18 Wounding whilst sleepwalking; victim's skull fractured; defence of non-insane automatism successful. External factors (increased dose of Prozac; disturbed sleep pattern; alcohol) acted upon pre-existing medical condition (depression and OCD); burden of proof on defendant.

Burke v BBC (2009) High Court - Application for injunction to prevent footage being broadcast, that may have affected Applicant's Article 2 Right to Life. (Applicant also defendant awaiting trial for murder.) Submission by BBC rejected by Collins J that Human Rights Act did not apply to its broadcast function – arguable that it did for the purposes of application.

S. Borough Council v J (2009)– High Court – Injunction proceedings to prevent persistent breach of planning enforcement notice. Defendants agreed undertakings.

R v A (2008) Canterbury Crown Court- Conspiracy to Supply 25kg Class A drugs; acquitted. Defendant was unofficial taxi driver to Holland. Co-defendants (also present in mobility vehicle when stopped at Customs) were convicted.

R v V (2008) Central Criminal Court- Violent disorder – fatal gangland fight.

R v A (2008) Central Criminal Court – Attempted Murder – 9 stab injuries in done in self-defence: acquitted.

R v N (2007) Central Criminal Court – Murder, lead by Tim Barnes QC. Defendant driving car when another on rear seat bludgeoned deceased to death with hammer. Joint enterprise denied: acquitted.

R v H (2006) Newcastle Crown Court- Murder, lead by Paul Sloan QC –

Manslaughter by reason of provocation accepted on day of trial.

R v S [2006] Court of Appeal- Appeal against murder conviction dismissed;

lead by Tim Barnes QC.

R v M (2005) Central Criminal Court- Murder, lead by Nigel Baker QC – multi-handed: cut-throat defences from three of five co-defendants, all of whom were convicted: M was acquitted.

R v S (2005) Inner London Crown Court- Firearms and Class A drugs; leading junior.

R v C (2005) Teesside Crown Court- £8m, 10 handed conspiracy to defraud; (Copyright, Designs & Patents Act 1998).

R v Mitchell [2004] EWCA Crim 3206 Court of Appeal- appeal against rape conviction; (s. 41 YJCEA 1999; temporal provisions; dismissed.)

R v C (2004) Central Criminal Court– Rape. Acquitted.

**R v H (2004) Central Criminal Court– Manslaughter, lead by Nigel Rumfit
QC; heroin addicts injecting.**

Robert also represents clients in a number of environmental situations, including:

Environmental Protection Act 1990 and Waste Management Licensing Regulations

Water Resources Act 1991

Appeals against planning enforcement

Breaches of planning enforcement

End-of-life Vehicle Regulations

Remediation Notices.

The above includes undertaking advisory work assisting solicitors, surveyors and planners and corporate clients with on-going requirements under environmental, planning and health and safety legislation.

Robert was a member of the Territorial Army between 1990 -1998. He is married with two children.