



Denis Barry

1996

Denis has a wide range of experience in defending and prosecuting all aspects of criminal cases, including serious fraud. He is increasingly instructed as leading junior counsel. In addition, his areas of specialisation include Trade Marks, Trading Standards and Consumer offences, for which he is instructed by defendants, companies, and local authorities. He has particular expertise in the Consumer Protection from Unfair Trading Regulations 2008, and the consumer aspects of the Enterprise Act 2002. He edited the Blackstones Guide to the Consumer Rights Act 2015.

"One of the best juniors at the criminal Bar"

- Legal 500 (2014)

Directories

He is consistently recommended as a leading junior in the Legal 500 in the field of Consumer and Product Liability, and as a leading junior in Chambers and Partners in Consumer Law.

Recent experience: Defence

He has defended in a number of murders (see notable cases), and has broad experience in all types of serious and allegations of organised crime, including serious fraud, and missing trader fraud. He has particular expertise in cases involving complex medical evidence, particularly those involving the death of children. He has broad experience in sexual offences including rape. He has been instructed to defend in the largest case ever prosecuted by a local authority (regarding alleged fake Government websites).

Recent experience: Prosecution

He was instructed on behalf of the Office of Fair Trading in the first ever prosecution of pyramid selling. He acted in one of the largest confiscation cases ever brought by a local authority. He is currently instructed to prosecute an attempted murder committed by a whole life prison on another whole life prison.

He has conducted cases for the Fraud Prosecution Service, Inland Revenue, Office of Fair Trading,

Customs and Excise and Asset Recovery Agency. He has broad experience in confiscation and money laundering proceedings (see notable cases), and mortgage frauds. He has prosecuted cases involving the death of infants.

Regulatory, Consumer and Product Liability

Denis was the Editor of the Blackstones Guide to the Consumer Rights Act 2015. It deals with substantial changes to the law between consumer and businesses for goods, digital content, services, and unfair contract terms. The Act consolidates the powers of enforcement officers and amends substantially the Enterprise Act.

In addition Denis' areas of specialisation include Trade Mark, Copyright, Consumer Credit, Product Safety, Planning and Environmental offences, for which he is instructed by both defendants, companies including supermarkets, and local authorities.

He has substantial experience in the maze of European Directives and Regulations creating criminal offences. He was involved in the first appeal involving the Transfrontier Shipment of Waste Regulations (Environmental law): see notable cases.

He has lectured and given seminars at the last 12 Trading Standards annual conferences. He has brought a number of injunctions under Part VIII of the Enterprise Act 2002.

Health Care

Denis has represented Pharmacists and Doctors before the GMC and the GPC, and has been instructed on behalf of Hospital Trusts in complex Inquests.

Competition/Cartels

He was instructed on behalf of a building company in the recent OFT investigation into cover pricing in the building industry, involving written and oral representations to the OFT Tribunal. He drafted the chapter on the changes to Competition law in the Blackstones Guide to the Consumer Rights Act 2015.

Notable Cases

Murder

R v Parton and others (Daily Telegraph, 20th June 2005): an allegation of murder in which the deceased was fed through a domestic mincer.

R v Miller and others (BBC News, 8th June 2005): an 'Operation Trident' case which unusually involved the murder of a woman.

R v Harris and others (Central Criminal Court, September 2007)

R v Nathan Allen (BBC News, 7th December 2007): Allegation of murder of 18 month old by father. The defendant was acquitted of murder.

R v Mayfield-Sparks (BBC News, 22nd January 2008): in which the defendant killed his brother in front of his mother with a Samurai sword. R v Cain (BBC News 2009). Central Criminal Court.

R v Aiden Wall BBC News 2013. Defendant was said to have attacked a man in a joint attack after a party. He was acquitted.

R v Uppal BBC News 2014. Defendant left jurisdiction for 17 years after a large fight between two gangs in Southall.

Attempted Murder

R v V. (forthcoming). Defendant serving a whole life term alleged to have attempted to murder another man serving a whole life sentence.

Manslaughter

R v Jake Corney. BBC News 2014. Alleged manslaughter as a result of restraint by the defendant of a drunk man in a man. He was acquitted. Case prosecuted and co-defended by Queens Counsel.

R v Kirsty Lee. Defendant cleared of causing the death of her 23 month old daughter from a head injury.

Poker

R v Derek Kelly [2008] EWCA (Crim) 137 (Channel Four News, BBC News, The Times, 10th January 2007)

Money laundering and confiscation

R v I.K. [2007] 1 W.L.R. 2262 (meaning of criminal property in money laundering)

R v Singh [2008] 2 Cr. App. R. (S) (lifestyle provisions of POCA)

R v Meniru Luton Crown Court 2014. Largest ever confiscation finding for a defendant charged with offences contrary to the Consumer Protection from Unfair Trading Regulations 2008.

Evidence

R v Williams [2007] EWCA Crim 211 (construction of section 116 of the CJA 2003)

Environmental

R v V. [2012] Env. L.R. 15 (Leading case on the transfrontier shipment of waste).

Education and Qualifications

- Wimbledon College
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- LLB (Birmingham)
- LLM (Warwick)

Memberships

Criminal Bar Association Committee Member 2009/2010.

CBA Working Party on Overarching Principles of Sentencing (2008) and Response to Proposals on Recovery of Costs (2009).

Bar Council Response to the Policing and Crime Bill 2009.

Recent lectures

The Corporate Manslaughter Act: International Federation of Powered Access Conference.

Ticket Touting. Old and New Ways to Get Them: Trading Standards Conference.

Regulatory Enforcement and Sanctions Act 2008: Trading Standards Conference.

The Changing Law of Murder and Manslaughter: a Pantomime Horse.

POCA From Start to Finish.

The Digital Economy Act 2010: Trading Standards Conference.

Guide to the Consumer Rights Act 2015.

Lexis Nexis Webinar on the Consumer Rights Directive.

Other

Enthusiastic about Wynton Marsalis, Frank Zappa and Timothy Radcliffe OP.

Condemned to be a lifelong supporter of Fulham Football Club.