



*"an advocate who cowers before neither opponent nor Bench, and is always ready to stand up and be counted in court".  
(Chambers and Partners 2010)*

Hugh joined Lincoln House Chambers in the Summer of 2002 after he and his family relocated from London to the North West. He specialises in serious criminal work, with particular emphasis on defence work and civil actions against the police. He is generally accepted to be the leading barrister for Claimants in this area outside London. He is described by Chambers UK as having *"highly sought after advocacy skills"* and the ability *"to really cross-examine"*.

He read English and Classics at Exeter University before working and travelling in Central America (at first with an International Brigade in Nicaragua and then on his own). On his return he started working for solicitors in London. Firstly doing Criminal work with Hodge Jones and Allen (one of the first radical High Street firms in London) and later doing civil work with Leigh Day and Co. He worked extensively with Martin Day on their ground breaking High Court litigation against British Nuclear Fuels. Over this period he completed the conversion course and then Bar Finals.

Prior to his move North, Hugh practiced from Doughty Street Chambers in London. Initially he enjoyed a general common law practice which included crime, family, civil litigation and public law. But after about 5 years he began to specialise on criminal defence work, police actions, Human Rights and appellate miscarriage work (frequently pro-bono). He cut his teeth on Benn and others, then the longest ever VAT fraud prosecution which concluded in the House of Lords. He was soon being instructed for the defence in numerous murder trials at the Central Criminal Court.

He advised and then acted in numerous Appeals in the Court of Appeal via the Criminal Cases Review Commission. He also developed an interest in pro-bono appeals to the Privy Council in capital murder cases from the Caribbean. These included the following:

- Perkins (Privy Council) Capital Murder, death sentence commuted to life sentence in line with Jamaica's UN treaty obligations due to the age of the Appellant at the time of the murder.
- Ramjattan (Privy Council) Capital Murder conviction quashed and manslaughter substituted on grounds of Diminished Responsibility/Provocation ("battered women's syndrome"). This became a cause celebre in Trinidad as it highlighted the entrenched but largely unacknowledged culture of domestic violence that existed there.
- Sangster (Privy Council) Capital Murder conviction quashed and Appellant freed after it was established (in dramatic circumstances) that relevant evidence had been deliberately suppressed by the investigating authorities.

Hugh began to specialise in Claimant Police Actions from the mid nineties and soon developed a formidable reputation (and success rate) in this area. He has been instructed in literally hundreds of these cases in both the High Court and County Court, across the Country. He has been particularly successful in relation to political protesters and football supporters who have been on the receiving end of unlawful violence (including serious head injuries with permanent neurological damage) wrongful arrest and malicious prosecution. By the time Hugh joined Lincoln House he was described by Chambers UK as possibly the best Police Action barrister for Claimants in the whole country.

Hugh has also developed a reputation for handling difficult clients and particularly sensitive cases. He has particular experience and expertise in representing mentally disordered clients. He has also been instructed privately in cases requiring discretion and subtlety. He obtained a non-custodial disposal with the minimum of fuss and publicity for the Labour Party's main fundraiser in the City, after he was found with indecent images of children. He successfully represented Lord Saatchi when he fell foul of the totting up provisions relating to penalty points on his licence. He has also acted privately in numerous internal disciplinary tribunals and adjudications.

While in London Hugh was also heavily involved in training and lecturing in relation to the Human Rights Act and the European Convention of Human Rights. He has lectured for the following bodies; the London Magistrates Association, the Association of Magistrates Clerks, Judicial Studies Board, Bar Council, Legal Action Group, Justice, Central Law Training and the Law Society. Formerly a regular contributor to the Butterworth's "on-line" Human Rights Digest. He was also legal advisor to the TV drama "Helen West" in which Amanda Burton played a hard boiled Crown Prosecutor.

Having joined Lincoln House Hugh has set about establishing himself in the North West. He has begun prosecuting for the first time and positively relishes prosecution briefs after years of defending. While defence work makes up the majority of his work he is keen to develop his prosecution practice. There are obvious parallels between prosecuting a criminal case and acting for a claimant in a civil trial.

On the defence side Hugh has quickly built up a heavy weight practice. Set out below are just a few examples of his recent cases.

- Bird and others (murder and robbery of money lender) Defending. Client had sacked previous 2 legal teams. Defendant discharged on first day of trial after Hugh's legal submissions.
- Hanna (fraud involving environmental charity) Defending.
- Hussain and others (election fraud)

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CALL TO THE BAR : 1989

Leading junior sentencing.

- Patel and others (Multi-million revenue fraud)

- Tufail (£2 million money laundering and related confiscation proceedings).
- Makwiza (Conspiracy to defraud, nation wide benefit fraud)
- Carroll (conspiracy to rob) lengthy trial after which defendant acquitted after successful challenge to prosecution DNA evidence and cell site evidence.
- Midgley (£3 million confiscation proceedings linked to cigarette importation)
- Bolton (murder) death from asthma attack after assault, complex causation issues with expert evidence.
- Metcalfe (high profile case in which a father shopped his son to the police for possession of a firearm). 5 year minimum term was not imposed.

Hugh is frequently instructed in cases involving serious sexual assaults and historic abuse and sexual assaults on children. He is known for his sensitive but effective cross-examination of child witnesses. Recent cases include:

- Shearn (multiple rapes of partners over 17 year period).
- Jackson (multiple historic rapes of children)
- Dawson (rape of partner whilst defendant on licence having been released from sentence for raping former partner).

In the last 12 months Hugh has completed cases involving attempted murder, conspiracy to rob, money laundering, rape and conspiracy to supply class A drugs. In the area of sentencing he has particular expertise in “dangerousness” and mandatory minimum terms (and how to avoid them).

Hugh is known for his successful legal submissions and the clarity of his skeleton arguments. He is fully conversant with the jurisprudence of the ECHR and frequently relies on it in his submissions on Bad Character, Hearsay, Confiscation and Inferences from Silence. For example since the recent Court of Appeal decision in *Horncastle* (on hearsay) he has stopped three different prosecutions after successfully excluding the hearsay evidence.

Hugh has continued to enjoy conspicuous success in the County Court in his Police Action work. Since moving to Manchester he is yet to lose a civil trial against the police. Recent victories have led to damages in excess of £100,000. In the recent case of *Gee V Merseyside Police* he successfully argued for the admission of “similar fact” evidence into the civil trial. This was all the more remarkable as it related to allegations of misconduct made against officers made in the course of criminal trials in which the defendants had been convicted and the criminal prosecution of officers that resulted in acquittals. Having appealed to the High Court and lost, the police duly settled. At the moment Hugh is instructed on behalf of members of the Viva Palestina convoy who are suing Greater Manchester Police as a result of their arrest and detention under section 41 of the Terrorism Act.

Hugh continues to lecture on Human Rights and Criminal Law. In addition to the above he is also instructed, more recently on an occasional basis, in inquests and judicial review.

Hugh Barton is a barrister who is drawn to difficult and challenging cases. Regardless of whether the difficulties are a result of the demands of the lay client or the legal complexities of the case, he is at his best when he is being stretched to the limit. He is someone who will always seek out fresh professional challenges.

Away from work Hugh lives with his wife Angela and their three children. He is a long suffering Crystal Palace supporter who loves camping, cooking and reading. Despite being the wrong side of 45 he still dances like an angel (particularly after a couple of glasses of wine).