



Marianne Alton

Call to the Bar: 2014

Marianne is a diligent and persuasive advocate who prides herself on meticulous case preparation and client care. She is experienced in case preparation, drafting, and in providing advice in a series of significant pieces of litigation.

Most Notable Cases

Crime

Marianne is regularly instructed in a wide range of criminal defence and prosecution work, including offences of serious violence, dishonesty, drugs, sexual offences, public disorder, regulatory offences and confiscation proceedings. Marianne prepares and presents legal applications and arguments, such as dismissal, abuse of process, disclosure, applications to exclude evidence and submissions of no case to answer.

In addition to rapidly developing a successful defence practice, Marianne is regularly instructed to prosecute both in private prosecutions and on behalf of the Crown Prosecution Service. She is a level 2 CPS panel prosecutor.

Violence

***R v JHS & others (Operation Poppy)** – conspiracy to murder, Central Criminal Court. Case relating to a ride-by shooting outside of a nightclub in the North East of England. Involved a complex and heavy disclosure burden. Marianne was instructed as disclosure counsel for a year and a half and throughout the 11-week trial at the Central Criminal Court.*

***R v JW** – defence of a man charged with attempted murder, Preston Crown Court. Led junior. Defendant acquitted of the most serious charge after trial.*

***R v MM** – defence of a man charged with violent disorder. Offence alleged to have taken place during the 'Million Mask March' in London. Defendant acquitted following trial at Southwark Crown Court. Marianne successfully excluded the statement of a police officer purporting to identify the defendant.*

***R v KM** – defence of a youth charged with a knife-point robbery. The trial centred on evidence of recognition given by the two complainants and a police officer. The officer was cross-examined by Marianne in relation to numerous breaches of the PACE codes of practice. Defendant acquitted after trial.*

***R v JW** – prison torture case. The defendant was charged with attempted s18 assault, false imprisonment and blackmail. Acquitted of the most serious charge.*

***R v PW** – defence of a man charged with ABH. Defendant contended that the injuries sustained by the complainant were self-inflicted. Acquitted following trial at Preston Crown Court.*

***R v YH** – defence of a man charged with ABH. Defendant argued that he acted in self-defence. Acquitted following trial at Preston Crown Court.*

***R v GM** – defence of a man charged with ABH. Successful half time submission on the basis of fundamental weaknesses and inconsistencies in the prosecution evidence (Manchester Crown Court).*

***R v MM** – defence of a woman charged with witness intimidation (Newcastle Crown Court). The Prosecution offered no evidence on the trial date.*

***R v MM** – defence of a man charged with section 18 assault and robbery. The Prosecution case was that the defendant had beaten the complainant around the face with a cricket bat and threatened him with a knife. On the day of trial, Marianne successfully negotiated a plea to section 20 assault.*

***R v RW & HP** – represented two defendants of previous good character in relation to allegations of assaulting a police officer. Marianne drafted legal submissions on behalf of both defendants contending that the officers concerned were acting outside of the lawful execution of their duties. The Crown discontinued the case.*

***R v AN** – represented a woman charged with harassment. Successful half time submission on the basis that the behavior described by the complainant did not amount to harassment.*



CONTACT DETAILS

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PRACTICE AREAS

Criminal law

Civil law

Prison law

Regulatory & Professional Disciplinary

Immigration

EDUCATION

University of Law

LLB - First Class

Bar Professional Training Course - Very Competent (82.58%)

College of Law, Manchester

Graduate Diploma in Law - Distinction

University of Oxford

BA Hons Philosophy and Theology - Upper Second

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Drugs

R v TAD & others (Operation Gradative 2) – modern slavery and cannabis case. Currently instructed by the CPS as junior counsel.

R v BM – defence of a man charged with possession of cocaine with intent to supply. Defendant acquitted following trial at Preston Crown Court.

R v KC – defence of a man charged with possession of cocaine with intent to supply. The defendant pleaded guilty and Marianne persuaded the Judge to suspend his sentence – notwithstanding the fact that the offence placed the defendant in breach of a previous suspended sentence order.

R v OH – defence of a man charged with possession of ecstasy with intent to supply. The defendant pleaded guilty and Marianne persuaded the Judge to disapply the sentencing guidelines and suspend the defendant's sentence.

Fraud

R v AC & others (Operation Lithium) – multi million pound MTIC VAT fraud, Sheffield Crown Court. Instructed by the CPS as disclosure counsel.

RSPCA v JK – defence of a man charged with fraud. Following submissions on abuse of process, Marianne secured a stay of proceedings.

Burglary and Theft

R v DT – defence of a man charged with two counts of dwelling house burglary. The defendant had a very lengthy record for similar offending and was likely to receive a sentence of at least four years imprisonment had he been convicted of burglary. At trial, following Marianne's successful application to exclude evidence under s78 PACE 1984, the Crown dropped the burglary charges and accepted a plea to handling stolen goods. The defendant was sentenced to 12 months' imprisonment (Burnley Crown Court).

R v DM – defence of a man charged with a dwelling house burglary and theft of a motor vehicle. The defendant (who was 19) had three previous convictions for dwelling house burglaries. Marianne drafted written submissions in relation to the sufficiency of the evidence. Following receipt of these submissions the Crown dropped the burglary and theft charges and accepted a plea to aggravated vehicle taking and the defendant received a suspended sentence (Preston Crown Court).

R v PC – secured an acquittal for a defendant charged with theft following his trial at Liverpool Crown Court.

Trading Standards

R v JK – led junior in a Trading Standards prosecution concerning the sale of £1.5 million worth of counterfeit toys. Defendant received a suspended sentence upon conviction.

Sexual Offences

R v FT – assisted Suzanne Goddard QC in the defence of a well-known TV weatherman over the course of a three-week trial at Manchester Minshull Street Crown Court. The defendant was charged with a series of historic sexual offences against children. The allegations dated back to the 1960's through to the 1980's.

R v SR – represented a youth at his ground rules hearing and trial in relation to an allegation of sexually assaulting a girl under the age of 16.



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Driving

Marianne provides advice and representation in all areas of road traffic law. Notable cases include:

R v IB – defence of a man charged with careless driving. Acquitted following trial.

R v MH – defence of a man charged with careless driving. Drafted legal submissions in relation to a number of areas including the definition of a 'road'. The Prosecution discontinued on the day of trial.

R v DB – defence of a man charged with careless driving, failing to stop and failing to report. Acquitted following trial.

R v WB – defence of a man charged with driving whilst using a mobile phone. Successful appeal to the Crown Court.

R v ST – defence of a man charged with failing to provide driver information. Successful appeal to the Crown Court.

R v JR – successful exceptional hardship argument.

R v RF – successful exceptional hardship argument.

R v CM – represented the defendant after he was committed to the Crown Court for sentence following a guilty plea to driving whilst disqualified which placed him in breach of a Crown Court suspended sentence order. Following legal submissions, the Judge was persuaded that he had jurisdiction to reopen the question of 'special reasons' and that he should exercise his discretion to do so. The defendant's special reasons argument was successful, he was absolutely discharged and received a nominal fine of £1 (deemed to be paid) in relation to the breach.

R v GB – defence of a man charged with five counts of dangerous driving. Following acceptable guilty pleas to three of the five counts, Marianne persuaded the Judge to suspend the defendant's sentence.

R v SL – defence of a man charged with dangerous driving, driving whilst disqualified and using a car without insurance. The defendant pleaded guilty and Marianne persuaded the Judge to suspend his sentence.

Confiscation and Forfeiture

R v PC – instructed for confiscation proceedings on behalf of the defendant. The case resolved on the basis that the recoverable amount was nil and the benefit figure was a third of the figure originally advanced by the Crown.

R v MP – instructed for confiscation proceedings on behalf of the defendant. The case resolved on the basis that the recoverable amount was half of the figure originally put forward by the Crown.

R v CF – instructed for confiscation proceedings on behalf of the defendant. The Prosecution alleged hidden assets. The case resolved on the basis that the recoverable amount was a sixth of the figure originally put forward by the Crown.

R v YC – the appellant wished to appeal to the Crown Court against an order for the forfeiture of over £50,000 of cash by the Magistrates Court. Marianne drafted a skeleton argument and provided written advice in relation to a number of complicated areas of law. Prior to the final hearing, a settlement was reached resulting in the return of a significant proportion of the seized monies to the appellant.

International Crime and Death Penalty Work

Marianne has a keen interest in cases involving an international element and is a trustee of a charity 'Evolve – FILA' whose volunteer barristers have assisted hundreds of people on death row in Uganda: <https://evolve-fila.org> Through the charity, Marianne has worked on numerous capital cases heard before the High Court and appellate courts of Uganda, almost all of which have resulted in the death sentence being set aside. Examples include:

RI v Uganda – drafted submissions under the supervision of senior counsel. Death sentence quashed by the Supreme Court of Uganda. The case was remitted to the High Court. Marianne again drafted submissions and a determinate sentence was imposed.

Prison Law

Marianne represents prisoners at Parole Board hearings including cases relating to post tariff lifer and IPP reviews. Many of her cases have involved expert evidence.



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Marianne acts regularly in all areas of personal injury work; both through the provision of advices on quantum and at court hearings. Marianne undertakes work for both claimants and defendants at small claim and fast track hearings, infant settlement hearings and MOJ Stage 3 hearings. She has acted in fast track cases relating to road traffic accidents, public liability, occupier's liability and employer liability claims. Notable cases include:

DO v WP – fast track trial, RTA. Successfully acted for the claimant at trial.

MJ v AI – fast track trial, RTA. Successfully acted for the claimant at trial.

EJ v ACC – fast track trial, occupiers' liability. Having taken a preliminary point in relation to the defendant's pleaded case at the outset of the trial, Marianne negotiated a favourable settlement for the claimant.

Immigration

Marianne accepts instructions before the First-tier Tribunal (Immigration and Asylum Chamber) and the Upper Tribunal. Marianne has particular experience in cases involving human rights arguments.

NA v ECO – appeared before the Upper Tribunal on behalf of a mother applying to join her minor children in the United Kingdom. The Upper Tribunal allowed the appeal under Article 8 of the Convention.

Experience Prior to the Bar

After graduating from the University of Oxford with a degree in Philosophy and Theology, Marianne completed the Graduate Diploma in Law and the Bar Professional Training Course through the University of Law and was awarded a first class LLB.

During her studies, Marianne received a number of scholarships and awards including an Exhibition from Pembroke College, Oxford and the Hardwicke Entrance Award, Lord Denning major scholarship and the Sunley scholarship from Lincoln's Inn.

Gaining experience prior to the Bar, Marianne has been involved in a number of projects that have helped develop her skills with a wide variety of people from different backgrounds, including vulnerable people. This included spending a full-time, fully funded gap year working in a homeless centre in Salford. Marianne also volunteered for a number of charities and pro bono organisations, including the Free Representation Unit. For example, prior to commencing pupillage she acted pro bono in an employment case, resulting in an award of £24,000 in favour of her client.

In 2014, Marianne was awarded a Kalisher Trust scholarship which enabled her to spend six months working on a capital mitigation project in Uganda. The project assisted those convicted of capital crimes at the sentencing stage as well as on appeal. All of the cases with which she dealt were extremely serious in nature, being either murder or aggravated robbery cases.

Marianne continues to be involved with the project on a pro bono basis and is a trustee of a charity – Evolve FILA – whose volunteer barristers have assisted hundreds of prisoners on death row in Uganda. Marianne regularly assists with cases at the High Court and appellate courts through Evolve and is developing its access to justice project.

In January 2018, Marianne was amongst a group of barristers and judges who presented at the Annual Judges' Conference in Uganda on inconsistencies and disparities in sentencing practice and policy. As a result of the conference, a number of important reforms to sentencing practice are being implemented by the Ugandan judiciary.



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