



Barry Kogan

Year of Call: 1973



Specialised in criminal law throughout his career, and has built up an enviable track record of success as a jury advocate.

Acted for the defence, often as leading counsel, in a wide variety of serious and important cases. These include murder (as leading counsel), other homicide cases, such as causing death by dangerous driving, offences of grave violence including torture and baby-shaking, fraud and money-laundering, armed robbery, firearms offences, arson, kidnap, blackmail, large-scale drug supply and importation, and human trafficking.

Considerable success in defending in trials involving rape and other serious sexual crime (committed against both adults and children) and internet pornography offences, and is highly regarded for his skill and sensitivity in cross-examining vulnerable witnesses, including the very young and those with mental illness. He has appeared frequently in cases involving allegations of historic sexual abuse.

Listed in 2015 Legal 500 in Crime: "He has an eye for detail and a gracious manner."

Defended extensively in court-martial cases.

Appears regularly in the Court of Appeal.

Well-known for quickly gaining the confidence of his lay clients, whatever their background, and for his calm, approachable manner towards his professional clients.

Appointments: Barry was appointed an Assistant Recorder in 1998 and has served as a Recorder since 2000.

Military Law

- *R v Dolman* – Court Martial, Kosovo. Three paratroops, on duty, were alleged to have shot and murdered two armed men in Pristina, Kosovo. The prosecution case was dropped after a two-week hearing.
- *R v AH* – Court Martial, Paderborn. Acquittal of a man charged with grave sexual offences against his daughter.

Fraud and Financial Crime

- *R v Eastwood & others* - Winchester C.C. A 2-month trial of 4 men charged with conspiracy to defraud a large number of old-age pensioners out of their life savings.
- *R v Willison & others* - Winchester C.C. A conspiracy to obtain motorcycles worth £4 million pounds; this was the largest case of its type.
- *R v Baker & others* - Southwark C.C. The defendant played the leading role in this large-scale 'fresh-air invoicing' fraud. Guilty plea.

- *R v Wilson* – Chichester C.C. The defendant was charged with a £1 million fraud against his bank.
- *R v Connors* – Northampton C.C. The defendant pleaded guilty to money laundering offences from which he gained in excess of £1 million.
- *R v Phillips* - Bournemouth C.C. This defendant was charged with forgery and a large fraud in relation to his activities as a company director.
- *R v Alam & Others* – Manchester C.C. A substantial money-laundering case, in which the prosecution offered no further evidence against this defendant, part-way through the trial.

General Crime

- *R v Curtis* – Guildford C.C. The defendant, a young man with learning difficulties, shook his 3-month old daughter, leaving her blind and severely brain-damaged. He pleaded guilty to shaking the child, but was acquitted, after a jury trial, of doing so with intent to cause her grievous bodily harm. The prosecution had relied upon eight expert witnesses. (The child has since died, and a manslaughter charge is presently being considered by the prosecution).
- *R v Laszlo Budai & others* - Croydon C.C. After a 6-week trial the defendant was acquitted of all charges relating to trafficking 5 Hungarian women into the UK and controlling their activities as prostitutes. One woman had claimed to have been kept prisoner in London for five months.
- *R v Loh & others* – Southwark C.C. The defendant was one of six Malaysians who pleaded guilty to smuggling women into the UK, for the purposes of prostitution; the largest case of its type.
- *R v Karia* - C.C.C. Four -week trial of a man employed as a security guard at a major London hospital; he was said to have set a number of fires at the hospital, one of them forcing the urgent evacuation, at night, of 80 patients, and causing £3 million worth of damage.
- *R v X & others* – Guildford C.C. A widely-publicised 3-week trial of a 14 year-old schoolgirl, charged with stabbing a co-pupil in the eye with a pair of scissors, in the school grounds, witnessed by 25 other pupils.
- *R v Wadham & others* – Winchester C.C. A high-profile case involving several animal activists, charged with conspiracy to blackmail. The trial, which lasted three months, related to their efforts to close down Huntingdon Life Sciences.
- *R v Mahmood & others* – Nottingham C. C. The defendant was one of 17 men who were all charged and pleaded guilty to a large-scale conspiracy to supply class A drugs.
- *R v Walker & others* - Leeds C.C. The defendant was alleged, in a four-week trial, to have played the leading role in a major conspiracy to supply class A drugs across West and North Yorkshire
- *R v Hoskins* – St Albans C.C. Acquittal of man charged with the attempted murder, by strangulation, of his wife.

Sexual Offences

- *R v Gibbard* – Snaresbrook Crown Court. This defendant was acquitted of a number of rape offences against his partner, some of which had allegedly occurred whilst she had been a hospital in-patient.
- *R v Vasilyevs* – Snaresbrook C.C. Acquittal of a man aged 19, accused of the sexual assault of two sisters aged 4 and 6 respectively.
- *R v Stewart* - Isleworth C.C. The defendant was acquitted of the rape, false imprisonment, and assault of a former partner, in her own home.

- *R v Hernandez* - Southwark C.C. Acquittal in the case of a man charged with the repeated rape of woman he had met earlier in the day.
- *R v Hedley* – Guildford C.C. The defendant was acquitted of all charges of serious sexual misconduct against a woman with mental impairment (autism); she had given evidence through an intermediary.
- *R v Allen* – Guildford C.C. Acquittal of a man charged with numerous rape offences against his young daughter over a 7 year period.
- *R v Harman* – Isleworth C.C. The defendant, now aged 75, was tried for an alleged campaign of rape against his daughter, dating back nearly 4 decades to 1973. Acquitted of all charges.
- *R v Robinson* – Isleworth C.C. This defendant faced many counts of rape and other serious sexual offences against his two sisters-in-law, when they were aged 11-13, in the early 1980s. On the day fixed for trial, he offered guilty pleas to one offence of indecent assault against each complainant; his offer was accepted, and he received a suspended sentence of imprisonment.
- *R v Durn & others* - C.C.C. The defendant, the mother of three young children, was said to be the head of a paedophile ring, who systematically abused her children over a long period. She was eventually cleared of all charges, some by the jury, after a 6-week trial, and the remainder upon an appeal against conviction to the Court of Appeal.
- *R v Ssejjuko* - Snaresbrook C.C. Acquittal of a man accused of raping a girl aged 11.
- *R v Mavrides & others* - C.C.C. This defendant was a boy of 14, charged together with 7 other teenagers, with the gang-rape of an Austrian tourist, on the bank of the canal at Kings Cross. Guilty plea.
- *R v TB* – Lewes Crown Court. Acquittal of a father, charged with multiple counts of anal rape against his young son.
- *R v Decapet* – C.C.C. The defendant pleaded guilty to the attempted murder and rape of a middle-aged lady, along the River Thames towpath. He had been sought by the police for 12 years before his arrest.

Homicide and Corporate Manslaughter

- *R v Saundh & another* - Nottingham C.C. The father of a teenage girl was acquitted of the racially-motivated murder of his daughter's boyfriend.
- *R v Puttock & another* – C.C.C. In 2007 a five-week trial took place in which the two defendants were charged with the murder, in 2000, of an elderly man; the case depended in part on facial mapping and DNA evidence. Although, after 7 days of deliberations, the defendants were convicted, their convictions were quashed by the Court of Appeal in 2008, and a retrial ordered. That retrial was heard over an 8-week period in the summer of 2009, with the jury unable to reach a verdict. A third trial was due to commence in June 2010, when the prosecution indicated, for the first time, their willingness to accept a guilty plea to manslaughter from each defendant; such pleas were duly entered, leading to their early release.
- *R v Green and others* – Leicester C.C. Murder of a mentally and physically handicapped man by his carer, by torture and starvation.
- *R v Ali* - Reading C.C. Murder trial concerning the death of an elderly man in his own home, following a failed burglary.
- *R v Harman* - C.C.C. The defendant threw a brick from a motorway bridge, which pierced the windscreen of a passing lorry and killed the driver. The defendant, originally charged with murder, ultimately pleaded guilty to manslaughter.

- *R v Price* – Guildford C.C. This defendant pleaded guilty to causing the deaths by dangerous driving, of three men, while heavily under the influence of alcohol and drugs. He had stolen the car and taken the men (all strangers to him) for a ‘joy-ride’.