



New Park Court

Benjamin Whittingham

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Year of call 2018

For enquiries please call +44 (0)113 243 3277 or email

Ben completed pupillage under the supervision of Adam Birkby in September 2020 and now accepts instructions across all aspects of common law.

He undertakes prosecution and defence work in both the Magistrates' and the Crown Court.

His more notable recent cases have involved serious offences, including death by careless driving which involved a successful defence of automatism, sexual assault, industrial scale cannabis cultivation and supply, and assisting an offender after a drive-by shooting.

He is also engaged in regular weekly advisory work for the Care Quality Commission which evaluates the merits of potential reasonable excuse defences for breach of s33 Health and Social Care Act 2008.

He also recently passed through competitive selection for work as a disclosure junior with the Undercover Policing Inquiry.

Ben also regularly accepts instructions in RTAs in the small claims track across the North East, as well as private family work.

Before joining chambers, Ben read modern languages at the University of Edinburgh. He converted to law with a GDL, achieving a distinction and several prizes for exam performance in tort, land law, and EU law.

Ben is also a qualified mediator with success in both national and international student mediation and negotiation competitions.

Ben speaks French, Spanish and Portuguese. He also speaks some Lithuanian.

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Crime

Representative Cases

- *R v HS 2021*

Appeared for the defence at the first hearing and PTPH in a death by careless driving case. Advised on the defence of automatism which was successfully deployed, the Crown offering no evidence. The Defendant had been stung by a wasp whilst rounding a bend in the road, killing an elderly passenger in an oncoming vehicle.

- *R v BW 2021*

Defended in an appeal against conviction in a case of threatening a member of staff working for a local MP.

- *R v BC (2021, Crown Court)*

Defending in a PWIT Class A case where the defendant maintained he was present at a drugs den to buy rather than to sell drugs. Secured a suspended sentence, having persuaded court to sentence outside the guidelines on account of the defendant's youth and the unjustifiable delay in bringing the case to trial

- *R v YB 2021*

Defended in an industrial scale cannabis cultivation and supply case, where the Defendant was renting a number of properties out to an organised crime gang. Successfully persuaded the judge to sentence outside the guidelines. The Defendant was sentenced to 3 years rather than the usual 8 years where the estimated yield was at least 44 kilos.

Appointments & Memberships

CPS Level 2 Prosecutor

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