



New Park Court

Joe Culley

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Year of call 2010

For enquiries please call +44 (0)191 232 1980 or email

Joe Culley became a member of Chambers in January 2018 and enjoys a mixed practice with a balance of Civil and Criminal work.

Called in 2010, Joe developed five years' experience of Civil advocacy in County Court proceedings on the North Eastern Circuit.

In February 2016 Joe commenced pupillage with the Crown Prosecution Service in Yorkshire and Humberside under the supervision of a Principle Crown Advocate. On successful completion of pupillage he was employed as a Crown Prosecutor, further developing his criminal advocacy through the conduct of Magistrates' Court proceedings in North Yorkshire.

Joe also has experience in Local Government having been elected onto Middlesbrough Borough Council in 2015. As a Councillor, in addition to assisting local residents with a variety of issues and speaking at public and private meetings, Joe was elected to Chair the Standards Committee, and was also a member of the Overview and Scrutiny Board and a Trustee of the Teesside Pension Fund. Joe left his position with the Council on joining the Crown Prosecution Service.

Crime

Joe regularly prosecutes and defends in criminal cases in the Crown Court.

He is a Level 2 CPS Prosecutor.

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Representative Cases

- *R v M, Teesside Crown Court (Apr 2018) - Threats to Kill*
Successful defence of Defendant charged with an offence of threats to kill involving a kitchen knife in a domestic setting. Despite difficult trial circumstances including the Defendant's removal from Court for disruption an acquittal was secured from the jury.
- *R v A, Leeds Magistrates Court (Mar 2019) - Common Assault*
Successful half-time defence in a trial for common assault. Defendant accused of an unprovoked attack on a friend whilst sat together in a car. Brought out in evidence the complainant had sought payment in order to withdraw the allegation and a number of significant inconsistencies between the witnesses were exposed during trial. Finding of no case to answer.
- *R v W, Newcastle Crown Court (Jun 2019) - Dangerous Driving*
Prosecuting in a trial for dangerous driving and criminal damage against an unrepresented Defendant accused of deliberately driving a car several times into another in relation to an unpaid debt. Defendant convicted and sentenced to 12 months immediate custody and disqualified from driving for 24 months.
- *R v M, Newcastle Crown Court (Jul 2019) - Armed Street Robbery*
Appears for the Prosecution in a trial concerning an armed street robbery occurring in Newcastle City Centre. Defendant convicted and sentenced to 3 years, 10 mths.
- *R v B, Newcastle Crown Court (Dec 2019) - Appeal*
Appears for the Prosecution in an Appeal against Conviction for a domestic-related assault in which there was no support from the injured party. Successfully argued for the introduction of a body-worn video account to be introduced as res gestae evidence and persuaded the Court on the basis of supporting evidence that the conviction was safe.

Civil

Joe has substantial experience prior to pupillage, providing advocacy in a range of cases before the County Court. These include appearing on behalf of Claimants and Defendants to small claims hearings concerned with a variety of legal issues, such as road traffic collisions, credit hire, breach of contract, sale and supply of goods and professional negligence.

He also has a large volume of experience in dealing with Stage 3 Oral hearings, including Infant Settlement Approvals.

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Joe has appeared before the County Court to deal with applications within Insolvency proceedings, has represented Housing Associations in applications for anti-social behaviour injunctions, and has a strong working knowledge of housing possession claims.

Since joining Chambers in January 2018 Joe has continued to undertake civil cases on behalf of Claimants and Defendants. He routinely appears on both the Fast Track and the Small Claims Track.

He also regularly provides written advice on quantum and liability in low value personal injury cases.

Representative Cases

- *W v P, Harrogate County Court (Aug 2018)*

Appears for the Claimant in a Fast Track Claim for PSLA. Despite a robust defence alleging fundamental dishonesty on the part of the Claimant the Court is persuaded this has no merit and upholds the Claim, awarding damages in the sum of £3,740.

- *R v D, Newcastle County Court (Sep 2018)*

Appears to Defend a Stage 3 Hearing in a claim for credit hire, repairs, medical expenses, personal care and PSLA. Claim pleaded in the region of £17,000. Following argument significant reductions were made by the Court against all heads of claim in dispute and the total amount awarded was restricted to £8,600 with Stage 3 costs awarded in the Defendant's favour.

- *P v BT, Hull County Court (Feb 2018)*

Appears to Defend a Credit Hire claim on the Small Claims track. Successfully argued the Claimant had not discharged the burden of proving either that the Claimant's vehicle was damaged or repaired, or timescales for the same. Claim dismissed and costs awarded to the Defendant on the grounds of unreasonable conduct.

Mental Health

Joe is experienced in mental health work representing Appellants on application for discharge from Mental Health Units.

Representative Cases

- *Re: SI (Aug 2019)*

Client detained under s.2 Mental Health Act 1983 with an established (though disputed) diagnosis of paranoid schizophrenia. All reports prepared for the tribunal recommended continued detention on

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grounds of risk as it was felt SI lacked insight into the illness and would not comply with medication requirements in the Community. Appeal to the Tribunal was successful and the Client's discharge arranged after it was demonstrated in evidence the purported risks were in fact more limited than suggested and that SI displayed no current observable signs of mental disorder.

Appointments & Memberships

CPS Level 2 Prosecutor

Criminal Bar Association

Personal Injury Bar Association

Gray's Inn

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