



# Joe Culley

Year of call 2010



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+44 (0)191 232 1980

Joe Culley has established a busy criminal practice on the North Eastern Circuit.

Called in 2010, Joe developed five years' experience of Civil Advocacy in County Court proceedings. Joe also has experienced in Local Government having been an elected member of Middlesbrough Borough Council between 2015 and 2016. 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 having accepted an in-house pupillage with the Crown Prosecution Service in Leeds in the Spring of 2016, under the supervision of a Principal Crown Advocate. On successful completion of pupillage, he was employed as a Crown Prosecutor based in North Yorkshire.

Joe is a Level 3 CPS Prosecutor and RASSO Prosecutor and is routinely instructed to appear in contested cases in the Crown Court.

Joe also accepts instructions in civil proceedings.

## Expertise

### Crime

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

He is a member of the CPS General Crime Panel at Grade 3.

#### Leeds

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## Notable Crime cases

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### R v M, Teesside Crown Court (Sep 2023) - S.18

Prosecuting at trial a case concerning allegations of s.18 GBH and witness intimidation in which the injury resulting to the complainant, whilst accepted to be very serious, was not that directly intended by the Defendant. Significant factual dispute existed between the parties. Conviction after trial and the Defendant sentenced to 5 years, 8 months.

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### R v R, Newcastle Crown Court (Jul 2023) - Robbery

Defending in a difficult case in which the Defendant was unattractive to a jury: admitting to heavy intoxication at the time of the allegation of violent robbery in a dwelling, and with a number of previous convictions for serious violence. Cross-examination of the complainant's social worker established that she had not seen or noted injuries to him on a date between the alleged incident and first disclosure. Acquittal after trial.

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### R v F & F, Newcastle Crown Court (Apr 2023) - Burglary

Appearing for the Prosecution. The two Defendants faced a 30-count indictment concerning a spree of '2 in 1' dwelling burglaries in the Newcastle area. Despite presentational challenges arising from a complex nexus of evidence (deriving from cell sites, text messages, PACE identifications, forensics, and circumstantial evidence) acceptable guilty pleas were eventually forthcoming towards the conclusion of the trial. The Defendants were later sentenced to 10 years, 8 months and 8 years, 4 months respectively.

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### R v S, Newcastle Crown Court (Apr 2022) - Robbery

Appearing for the Prosecution. The Defendant was convicted by jury of a street robbery, having pursued elderly victims whilst in possession of a weapon around Houghton-le-Spring. At sentence the Defendant's history of having committed a serious sexual offence against a vulnerable girl was set out to the court. The Defendant was assessed as dangerous and sentenced to a total of 14 years imprisonment, incorporating an extended licence period of 4 years.

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### R v D, Newcastle Crown Court (Mar 2022) - Appeal

Appearing for the Defence in response to an Appeal brought by Northumbria Police following the refusal of a District Judge to impose a Football Banning Order in consequence of the Appellant having pleaded guilty to an offence of being drunk at a sports event. The court was persuaded to dismiss the Appeal without hearing evidence from the Appellant, having heard submissions as to the legal test for the making of such an order.

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### R v P, Leeds Crown Court (Jan 2022) - Domestic Violence

Appearing for the Prosecution. The Defendant, who had a history of convictions for manslaughter and serious violence, was tried for a number of domestic related assaults on a new partner that escalated into an episode of Robbery involving throwing his semi-conscious victim down an internal stairway. The Defendant was convicted and assessed as dangerous, being sentenced to a total of 15 years imprisonment, incorporating an extended licence period of 5 years.

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### R v A, Teesside Crown Court (Dec 2021) - Robbery

Appears for the prosecution. The Defendant was tried for a cruel offence of Robbery in which a vulnerable male was deliberately

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targeted, threatened and led through Middlesbrough Town Centre before being forced to sell his mobile phone for cash then taken by the Defendant. Having changed his plea to guilty part-way through the trial the Defendant was sentenced to 4 years, 10 months imprisonment.

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R v S, Teesside Crown Court (Sep 2021) - Domestic Burglary

Appears for the Prosecution. The Defendant faced a charge of domestic Burglary having opportunistically entered a residential property in North Ormesby. He was confronted and pursued by the occupiers who later identified him. Submissions were heard in relation to whether the identification had been tainted by a Facebook search carried out by one of the witnesses. The Defendant was convicted after trial and sentenced to 40 months imprisonment.

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R v T, Newcastle Crown Court (May 2021) - Money Laundering

Appears for the Prosecution at trial. The Defendant was convicted by jury of money laundering offences under the Proceeds of Crime Act 2002. Fraudulent transfers had been made from the bank account of an elderly man into the Defendant's personal accounts, account details having been obtained in scam telephone calls. The Defendant used the funds to purchase expensive items and gift cards from the Harrods Department Store. The Defendant was sentenced to 24 months suspended for 24 months.

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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. Having heard submissions the Court allowed the introduction of an account from the complainant recorded on body-worn video to be introduced as res gestae evidence. The appeal was refused and the conviction upheld.

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R v W, Bradford Crown Court (Nov 2019) - Appeal

Appearing for the Defence. The Appellant was appealing his conviction for harassment of his former partner upon the breakup of their relationship. Whilst the court was minded to grant a Restraining Order on acquittal the court was satisfied having heard the evidence in the case that a doubt existed as to whether the Appellant had committed the offence. The Appeal was allowed and the conviction quashed.

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R v M, Newcastle Crown Court (Jul 2019) - Armed Street Robbery

Appears for the Prosecution. The Defendant is convicted following trial for an armed street Robbery occurring in Newcastle City Centre, and sentenced to 3 years and 10 months imprisonment.

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R v W, Newcastle Crown Court (Jun 2019) - Dangerous Driving

Appears for the Prosecution. The Defendant was unrepresented at his trial for Dangerous Driving, accused of deliberately driving a car several times into another in relation to an unpaid debt. The Defendant was convicted by jury, sentenced to 12 months immediate custody and disqualified from driving for 24 months.

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R v A, Leeds Magistrates Court (Mar 2019) - Common Assault

Appears for the Defence. The Defendant was of previous good character and held employment in a position of public responsibility from which she faced dismissal in the event of conviction. She was charged with an assault having been alleged of an unprovoked

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attack upon a friend whilst sat together in a car. During trial evidence was established that the complainant had sought payment from the Defendant or her family in exchange for the allegation being withdrawn. Significant inconsistencies between the prosecution witnesses were also exposed under cross-examination. The lay bench upheld a submission of no case to answer and directed a not guilty verdict.

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R v M, Teesside Crown Court (Apr 2018) - Threats to Kill

Appears for the Defence. The Defendant, who had a history of violent offences, was tried for offences of threats to kill involving the brandishing of a kitchen knife in a domestic setting. Despite difficult trial circumstances that escalated to the Defendant's removal from Court for repeated disruption the jury acquitted of all matters.

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## Civil

Joe remains available for instruction in simple civil proceedings, drawing upon his substantial experience prior to pupillage.

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

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## Notable Civil cases

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W v West Bay Insurance Ltd, Newcastle County Court (Feb 2023)

Defending in a Fast Track claim for PSLA and credit hire charges, issued for over £18,000. Both parties had been taxi drivers at the time of a collision and liability was resolved by the court in favour of the Claimant. The Claimant had entered into hire agreement having been instructed to do so by his employer. Cross-examination of the Claimant on the issue of need for hire established that he had never even seen, let alone used, the vehicle hired to him having been given a replacement vehicle by his employer immediately after the collision. Whilst the Claimant was found to have a valid need for a replacement vehicle, as that need had been met by his employer there was no need for him to incur the considerable credit hire charges and this head of claim was refused in its entirety.

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S v Tesco Underwriting, York County Court (May 2021)

Appearing for the Claimant in a Fast Track claim for damages in relation to personal injuries arising from a road traffic collision. Despite the Claimant being cross-examined at length and the Defence advancing an argument that the claim is fundamentally dishonest this is rejected by the court, awarding in excess of £2,000 damages and making criticisms in its judgment of the manner in which the case was defended.

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M & A v Energy Save North-West Ltd, Manchester County Court (April 2021)

Appearing for the Claimants at disposal hearing, judgment is obtained for the Claimants in excess of £42,000 for losses arising from the negligent installation of cavity wall insulation in a residential property.

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R v M, Scarborough County Court (Nov 2019)

Appearing for the Defendant in response to a claim brought for damages arising from a road traffic collision. The Claim is struck

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out by the court, conflicting evidence having been exposed within the pleadings as to ownership of the damaged vehicle and which party had suffered financial loss, combined with serious procedural errors identified on the part of the Claimant's solicitors. The court also orders Defence costs on the grounds of unreasonable conduct in the full sum claimed or nearly £3,000 and directing the senior partner of the Claimant's solicitors to provide written explanations for the failings identified.

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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. The Claim having been 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.

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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.

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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.

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## Appointments

- CPS RASSO Prosecutor
- CPS Level 3 Prosecutor

## Education

- BVC (Very Competent), Northumbria University (2010)
- LLB (Hons), Liverpool University (2009)

## Memberships

- Criminal Bar Association
- Personal Injury Bar Association
- Gray's Inn

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