

Kira Chana

YEAR OF CALL 2009

Kira is regularly instructed in a wide range of criminal defence work from murder to serious drug offences either led or as a junior alone. Her cases have attracted media attention.

Email clerks@farringdon-law.co.uk



Career Overview

Solicitor Testimonials:

** 'Kira Chana, super! Not only to get the Not Guilty verdict, but keeping us informed throughout! She is going very far'.*

Kira's work is defined by her personable approach and intellectual prowess. She is an established advocate and described by her instructing solicitors, as "an exceptionally talented young barrister".

Specialising in both prosecution and defence, she is often entrusted with cases of the highest sensitivity acting in high-profile and high-value matters, either as led junior or junior alone in a wide range of cases involving the gravest allegations of violence, drugs, dishonesty and sexual offending, areas in which she is experienced beyond her call.

Kira's robust style of advocacy to representing clients, was commented upon by a Judge, who described her closing address to the Jury as '*one of the best speeches*' he had heard. Her tenacious character, thorough preparation, calm collected approach and formidable cross-examination has resulted in her personal instruction as Junior Counsel on a number of occasions by some of the country's leading Queen's Counsel in multi-handed trials, including Murder.

Kira is experienced in representing a wide variety of clients, including those who are vulnerable. Her ability to build a good rapport with clients combined with her forensic yet practical approach to cases has meant that solicitors and clients alike repeatedly instruct her. She has been praised on her conduct, manner, and overall abilities as an advocate. Qualities, which have been acknowledged by Judges before whom she has appeared.

Prior to coming to the Bar, Kira interned for a leading human rights charity, which led to her sole instruction by the family of the first American sentenced to death-row in South-East Asia on a pro-bono basis. She has also worked for a firm of solicitors, where she gained considerable experience of a range of white collar and general criminal matters including fraud, serious violence, drug importation and sexual offences.

In her personal time, Kira is an avid gym enthusiast and runner.

Area of Practice

Kira accepts regular instructions in the following areas:

- General Crime
- Financial Crime
- Serious Violence
- Driving Offences
- Sexual Offences
- Extradition

Ms. Chana is listed on the Advocates Panel for the Crown Prosecution Service.

Inquiry Instructions

- **Serious Fraud Office**
- **Metropolitan Police**
- **NCA**

Ms. Chana was instructed by a core participant in the UK's largest ever public Inquiry. She was Counsel for 2000 participants. Instructed by the Commissioner of the Metropolitan Police Service, Ms. Chana assists in the preparation of evidence and submissions on all undercover deployments between 1968 and 1982. Her work involved the drafting of anonymity orders over the identities of former members of the *Special Demonstration Squad*, as well as scrutiny of documentation requested by the Inquiry legal team to be disclosed and/or published or other participants and/or the general public at large.

The Undercover Policing Inquiry was set up to examine the contribution that undercover policing has made to tackling crime, how it was and is supervised and regulated, and its effects on the individuals involved.

Notable Cases

MURDER/ATTEMPT

R v N (Bradford Crown Court) - Murder

Instructed as Junior to Mr. Countenay Griffiths QC in a 3 month murder trial for the first defendant. The client, alongside his 4 brothers was charged with the murder of his cousin following long-standing familial breakdown. The case concerned extensive cross examination of a number of witnesses, including experts about sustained defensive injuries to the defendant. The case was reported nationally, including the BBC and Daily Mail.

OFFENCES AGAINST THE PERSON

R v F (Snaresbrook Crown Court) - Wounding with Intent, S.18

Ms. Chana represented a young defendant in a trial consisting of a 4-handed attempt murder/wounding joint enterprise. The case concerned consideration of telephone evidence, and careful analysis of CCTV footage which was central to the case.

R v V-T (Maidstone Crown Court) - Greivous Bodily Harm with Intent, S.18

A defendant alleged to have struck the complainant with a metal pole, and subsequently charged with S.18 GBH and S.20 was acquitted following arguments presented by Miss Chana surrounding the admissibility of identification evidence. Arguments were presented concerning the contamination of the evidence following witnesses formally identifying the defendant subsequent to a 'Facebook' search.

R v G (Maidstone Crown Court) - Offences Against a Person

An acquittal secured for a defendant of good character following a 10 day trial. Subsequent to a successful submission that there was no case to answer on a count relating to an alleged assault; the Jury returned a verdict of Not Guilty, on the remaining count of affray.(Reported in media).

R v P (Blackfriars Crown Court) - Greivous Bodily Harm with Intent (S.18)

Ms. Chana represented this defendant who was alleged to have assaulted a vulnerable victim causing 2 bleeds to the brain; fracturing his cheekbone and jaw. Following a late plea entered on the first day of trial, Ms. Chana persuaded the Judge to release her client on bail for two weeks to enable him to get his affairs in order, in a case which was considered and conceded by the defence to be a category 1 offence, where the starting point is 12 years custody. At sentencing, Ms. Chana persuaded the Judge to afford the defendant with 20% credit (significantly more than the 10% usually granted for late pleas). Her presentation of mitigation resulted in the Judge reducing the starting point to 10 years imprisonment, reduced to 8 years following his discount.

R v H (Woolwich Crown Court) - Greivous Bodily Harm with Intent, S.18

Charged on indictment with Attempted S.18 with intent, the allegation concerned an alleged assault with the use of a

weapon, namely a knife. Ms Chana successfully made representations for the Crown to accept a plea to a lesser offence of Actual Bodily Harm, which was accepted. The Judge, who had indicated that the sentence would be on of immediate custody, was sentenced to a suspended sentence following successful mitigation.

R v P (Central Criminal Court) - Actual Bodily Harm

Ms Chana represented a defendant of good character charged with one count of domestic ABH. Having been on remand for 4 months, Ms Chana, was able to successfully argue against an application to adjourn made by the prosecution, resulting in the offering of no evidence, and a Not Guilty verdict being directed.

ARSON

R v G (Croydon Crown Court) - Arson

Ms. Chana represented a vulnerable client, who has battling drug addiction, and various other trauma, which resulted in her client entering a downward spiral, resulting in her being indicted for arson. Despite the emotional and mental challenges which Ms Chana had to assist her client through, who was remanded in custody for 6 months pending trial, Ms Chana, successfully guided her client through the trial process, and successfully secured Not Guilty verdicts in all counts following a full day of legal argument, resulting in the Prosecution offering No Evidence as a result of Ms. Chana's submissions.

DRUGS

R v A (Snaresbrook Crown Court) - Conspiracy to Supply Class A

Ms. Chana represented the first defendant on the indictment indicted for conspiracy to supply Class A drugs. The prosecution sought to place her client at the top of the criminal organisation, and suggested that he directed a number of people, one of whom was said to be vulnerable. Having pleaded guilty to his part, Ms. Chana in written submissions successfully persuaded the Judge to sentence on the basis of a lesser category. Ms. Chana's written arguments were also referred to by the Judge in his sentencing remarks.

R v V [Operation Kipling] (Woolwich Crown Court) - Conspiracy to Supply Class A

Instructed as junior counsel in a multi-handed country lines drugs conspiracy. The case involved the careful consideration of numerous telephone handsets and their respective downloads, running to the tens of thousands of pages of evidence. This was necessary to challenge attribution as suggested by the Crown. Miss Chana also drafted and made lengthy and substantial legal argument relating to the admission of police intelligence. The case was reported

R v F (Southwark Crown Court) - Conspiracy to Supply Class A

Led by Courtenay Griffiths QC in a 21 day multi-million pound conspiracy to supply cocaine. The trial, in which Ms Chana's client was suggested to have been one of the so-called 'master-minds' of the operation involved scrutiny of covert surveillance; telephone cell-site and forensic evidence relied upon by the prosecution.

R v M (Kingston Crown Court) - Conspiracy to Supply Class A

A substantial investigation lead to the arrest of 3 individuals concerned in the supply of 64kg of cocaine, with a street value of £6.4million. Searches of relevant properties also lead to the discovery of ammunition and machine guns. Ms Chana, during a 9 day trial represented a client who was the sole defendant to contest the drugs matter. He was linked to the two who had pleaded guilty by telephone attribution. Ms Chana's knowledge of cell-site and DNA allowed for her to successfully cross examine the officer in the case. (Reported).

FIREARMS/OFFENSIVE WEAPONS

R v A (Kingston Crown Court) - Firearms

Ms Chana represented a young defendant who had already pleaded guilty to possession of a disguised firearm. The Judge had previously indicated that the issue of whether the Court ought to exercise its discretion over mandatory sentencing required a further hearing by way of a Newton. The Judge and the prosecutor indicated they were both of the view it ought to be a 'guppy hearing'. Such a hearing requires the defendant to produce evidence and it is up to him to satisfy the Court at the civil standard. Ms Chana made forceful representations that this was not the appropriate course. Her persuasive submissions were successful. The Judge who had previously provided an indicated against Ms. Chana's client was persuaded to proceed at the criminal standard and where the burden was borne by the prosecution.

R v G (Woolwich Crown Court) - Offensive Weapons

Ms. Chana's client was found not guilty in relation to two counts of possession of an offensive weapon. He was tried alongside one other defendant, upon whom the jury were hung. The case concerned an allegation where both defendants were said to have attended a property in the small hours of the morning with weapons in order to collect debt monies. A significant comment alleged to have been said to the arresting officer was explored by Ms. Chana in cross examination. The officer accepted that he had not followed procedure by noting the comment in his notebook

and offering it to her client to sign against. It was further accepted by the officer that no written record was made until 3 hours after the alleged comment was made. The Jury returned not guilty verdicts in 2 hours.

R v L (Croydon Crown Court) - Offensive Weapons

An acquittal secured for a defendant of good character, charged with 3 counts of possession of offensive weapons. Through written and oral submissions, Ms Chana was successfully able to persuade the Court not to adduce hearsay evidence of a police officer who was unable to attend the trial. As a result of Ms Chana's arguments in Court, the Prosecution had to concede they were unable to proceed, and accordingly offered no evidence.

FRAUD/MONEY LAUNDERING

R v I (Snaresbrook Crown Court) - Money Laundering

Instructed in a fraud involving breach of trust, Ms. Chana successfully made representations to the Crown regarding their continued intention to prosecute her client. She, through written submissions argued that the evidence which the prosecution had would not be enough to support the assertion that her client, firstly had any knowledge of the origins of the monies, and secondly had any control of the bank account into which the said funds were paid into. Ms Chana argued that this was tantamount to inference alone, and successfully persuaded the Prosecution not only to review the case against her client, but, resulted in No Evidence being offered.

R V S (Wood Green Crown Court) - International Fraud

Instructed as junior Counsel in a cross-jurisdictional multi-million pound fraud. One count of the 'sophisticated' fraud saw payment systems of an international pharmaceutical company compromised resulting in a loss of millions. The 6 week contested trial required the analysis of thousands of pages of evidence which totalled over 40,000 pages. Close examination was required of the exhibits seized in this case, including mobile telephones, laptops and banking documentation. The case received international media coverage.

R v P (Inner London Crown Court) - Fraud

Ms Chana successfully secured an acquittal after 30 minutes of Jury deliberation, for her client who stood trial for money laundering alongside one other who was convicted. The index offence concerned a 'boiler room' fraud whereby victims were defrauded of monies culminating into several hundred thousand pounds. A fraction of money was then said to have been laundered through the bank account of Ms Chana's client. Her skilful presentation of the evidence resulted in the jury returning verdicts of Not Guilty within 30 minutes.

BURGLARY

R v M (Southwark Crown Court) - Aggravated Burglary

Ms. Chana was instructed on the eve of the trial to represent a client who had been recalled on a life-licence due to this allegation. Despite the majority of the Prosecution evidence being unchallenged by the defence, Ms. Chana successfully pointed to the weaknesses in the Prosecution case in her closing speech, resulting in the Jury finding her client Not Guilty after just 2 hours of deliberation. Due to the not guilty verdict, Ms. Chana's client is now able to make an application for release to the parole board.

R v K (Kingston Crown Court) - Conspiracy to commit Aggravated Burglary

Ms. Chana was instructed on the first day of trial in a 5-handed case, whereby the client was said to have been one of the two lead organisers of an aggravated burglary, where a shot-gun was used to threaten the victims and also discharged within the property. Ms Chana was brought into the case specifically to analyse the telephone data, which was being used by the Prosecution to establish a connection between all defendants, and, further highlight movements on the day in question. Central to the case for the defence was to rebut the suggestions made by the Crown by the consideration of over 49,000 pages of telephone data. Ms. Chana was able to identify commonalities of cell-sites on dates outside of the indictment period, in order to show that presence in the vicinity was not a □□□□□□□□□□ occurrence. The client was found Not Guilty by the Jury after a 5 week trial.

R v L (St Albans Crown Court) - Burglary

This case concerned recognition evidence of 3 police officers, who after being shown CCTV stills and imagery purported to recognise a suspect as the perpetrator of a burglary. Miss Chana, who was instructed prior to trial, identified that all three officers had failed to comply with PACE Code D. This stipulates mandatory considerations which have to take place during an identification procedure. On the day of trial, Ms. Chana made a s.78 argument to exclude this evidence on the police failings to comply. She distinguished authorities, such as the R v Smith, on the basis that no other evidence was available to the Crown in the instant case to support the proposition that the suspect was in fact her client. She submitted that the disregard of the code of practice limited the ability to test the evidence. The Judge agreed, and accordingly the evidence was excluded. The crown, were in the unfavourable position of having to offer no evidence, and Ms Chana's client, who had spent 7 months on remand, was released once a Not Guilty verdict was returned.

DEATH BY DRIVING

R v U (Central Criminal Court) - Death by Driving

Ms. Chana secured an acquittal following a week long trial at the Old Bailey, involving cross examination of prosecution collision experts. The Crown had contended that her client had been speeding, and failed to notice a pedestrian whilst driving in the E1 area, resulting in a fatal collision. Ms Chana, through her cross examination and analysis of the case in her closing speech outlined that the combination of various factors, including clothing; time of night; reflectivity meant the incident was a genuine accident and not the result of criminality. The jury acquitted Ms Chana's client after 5 hours of deliberation. Reported.

R v S (Winchester Crown Court) - Death by Driving

Instructed to represent a defendant for sentencing following his early guilty plea to causing death by dangerous driving, Ms. Chana, was able to mitigate on behalf of her client, resulting in a sentence of 5 years, where the Judge had considered the starting point, owing to the aggravating features to be 9 years custody. The Judge had considered the offence to be within the highest category of such offences, which ordinarily sees a starting point of 8 years immediate custody. The tragic case required Counsel who was tactful and sympathetic. It was these traits that lead to her instruction for sentence. The case has been reported in the local press.


ESCAPE FROM CUSTODY

R v C (St. Albans Crown Court) - Escape from Custody

Ms. Chana was instructed to represent an escaped prisoner, who had been at large for 2 months prior to surrendering himself to the police. She, through submissions distinguished her client's actions from those from authorities, arguing that a shorter sentence should be passed due to the absence of numerous aggravating factors. Reported.

DRIVING

R v B (Guildford Crown Court) - Dangerous Driving

Following a guilty plea entered in the Magistrates Court to dangerous driving, the case was committed to the Crown Court for sentencing, where he was represented by Ms. Chana. The defendant; whilst on a motor-bike performed  on the M25 during rush-hour as well as undertaking and overtaking vehicles. Ms Chana successfully

persuaded the Judge to suspend a custodial sentence (Reported).

Memberships

- Middle Temple
- Criminal Bar Association
- South Eastern Circuit (SEC)
- Chambers Marketing Committee

Education

- LLB Law (Hons), The College of Law
- Bar Vocations Course (BVC), The College of Law
- The Graduate Diploma in Law (GDL), The College of Law
- BA Sociology

