



# PUMP COURT

## CHAMBERS

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## JOHN DYER

Call: 2002

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John Dyer's practice is principally in criminal defence.

He now appears regularly in the Crown Court at the eastern end of the Western Circuit, having previously enjoyed a practice focusing on Bristol, Gloucester, Hereford and Worcester.

The majority of defence instructions are for serious violence, serious sexual offences (particularly difficult matters, e.g., historic, rape while asleep), drug production/supply, weapons and fraud, also in cases in which the evidence features forensic material, telephone analysis (messages, cellsite), psychiatric or psychological assessments, accounts, etc.

Recent defence appearances include: in 2019, an armed robbery acquittal in which DNA evidence allegedly linked the client to the scene; in 2019, in CACD a reduction in sentence in a case of sexual activity with a child from 14 years' imprisonment to five; in 2021, the attempted importation of 55kg Class A drugs, an attempted murder and a serious s.18 OaPA close to murder; in 2022, in CACD a reduction in sentence in a case of serious sexual abuse of children from 30 years' imprisonment (25 years plus five years' extension) to 27 years (22 years plus extension); in 2023, historic sexual offences involving both doli incapax and the former irrebuttable presumption as to age and the offence of rape.

John sat for a number of years on the judicial panel of the British Horseracing Authority.

## Criminal

John's recent instructions include murder (with a child witness and intermediary), serious violence, kidnap, serious sexual offences (including rape, historic cases, offences involving children, youths and those with learning

difficulties, indecent images), false complaints of rape, other offences of perverting the course of justice, (armed) robbery, burglary, money laundering, fraud, benefit fraud, organised shoplifting, drug supply / conspiracy / production, dangerous driving, confiscation and breaches of orders.

He communicates easily with a range of clients, especially the young and vulnerable, and has a comfortable and persuasive manner with juries. Strengths include comprehensive fact management, incisive understanding and application of the law and effective cross-examination. John pays special attention to the provision of written argument and advocacy. A recent application for a stay for abuse of process involved extension of the scope of the doctrine of *autrefois convict*.

He is frequently instructed privately in the magistrates' court and has represented clients in the youth court charged with grave crimes.

Four recent appellate cases of particular interest involve the challenging of findings of dangerousness, the following of sentencing guidelines, implementation of the principle of totality and suspension of sentences.

## Selected Cases

### **R v R [2019] EWCA Crim**

Reduction in sentence from 14 years' imprisonment to five for causing/inciting sexual activity with a child, IIOC

### **R v C [2014] EWCA Crim**

Implementing the principle of totality in a case involving sexual activity with a child and indecent images.

### **R v S [2014] EWCA Crim**

The discretion to suspend a short sentence – issues of punishment and deterrence balanced against art.8 rights of the defendant's children.

### **R v W [2012] EWCA Crim**

Sentencing guidelines must be followed except in the rarest of cases, particularly in sexual offences involving children, even though the resulting sentence appears severe.

### **R v de Andrade das Neves Soudo [2011] EWCA Crim 1390**

Breach of trust in theft extended from 'classic' examples to the relationship between adult co-habitees.

### R v Jeffcoate [2010] EWCA Crim 1079

Wide judicial discretion in finding of dangerousness confirmed, despite favourable psychiatric report.

### Blows v Herefordshire Council [2009] EWHC 666 (Admin)

Magistrates' court's decision not Wednesbury unreasonable that a convicted individual, one of the first pub landlords to be convicted of permitting smoking after the ban, pay full prosecution costs despite being the subject of an IVA.

### R v Southall [2005] EWCA Crim

Court activating suspended sentence on the commission of a further offence during the operational period not giving sufficient credit for compliance with community requirements.

## Qualifications

- BHA Judicial Panel
- PgDL
- Cert Ed (FE)
- C&G Phase IV Farm Business Mgt
- UEI Phase III Farm Enterprise Mgt
- National Cert Agriculture
- MA (Cantab), English

## Professional associations

- British Horseracing Authority Judicial Panel
- CBA
- Western Circuit

## Outside Interests

John arrived late at the Bar after successful careers in agriculture, teaching (further education and prison education)

and project management for a charity.

In his spare time John remains involved in farming (horses and beef cattle).