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## David Herbert QC

**Call:** 1992

**Silk:** 2013

- **Queen's Counsel**
- **Recorder** (Crown Court)

## Testimonials

**He is outstanding - just a quality act. He is scrupulously fair but exceedingly hard, and prosecutes with great determination and skill.**

*Chambers & Partners - 2020*

**Hard working, thorough and totally reliable.**

*Legal 500 - 2020*

**He is excellent .... a very confident advocate who doesn't miss a trick**

*Chambers & Partners*

**He is excellent - a real bruiser of a silk.**

*Chambers & Partners 2019*

**A well-regarded silk who specialises in criminal law. He is instructed in high-profile cases involving homicide, organised crime and drug importation.**

*Chambers & Partners 2019*

## Practice Profile

**David Herbert QC** is a specialist in criminal law. He is a formidable jury advocate, tactically astute and known for dealing with the most serious criminal cases on the Midlands Circuit. David's work routinely involves cases of murder and organised crime, particularly gang related offending. He is noted for his ability to handle the

## Areas of Experience

- Homicide
- Serious & Complex Crime
- Serious Sexual Offences

## Contact Clerks

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## Contact David

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most sensitive and challenging cases, often with formidable quantities of telephone evidence and cell site analysis.

David is considered an expert in cases involving covert law enforcement and is adept at dealing with the sensitive issues that invariably arise. He has significant experience of cases involving drug importation / supply, money laundering and unlawful immigration on an international scale. Some of his cases have been amongst the largest investigations of their type and involved linked investigations abroad in places such as India, South Africa, the United States of America and Holland.

David has appeared regularly in cases involving sports discipline and regulation and has acted as a legal advisor to the Leicestershire RFU Constituent Body on disciplinary matters. He sits as a Recorder in the Crown Court.

## Work Undertaken

- Homicide
- Serious Organised Crime (drugs importation / supply, unlawful immigration and terrorism)
- Serious Sexual Offending
- Cybercrime
- Criminal Appeals
- Disciplinary Work

## Publications

### Loss of Control

## Appointments & Memberships

- Recorder of the Crown Court
- Criminal Bar Association
- Gray's Inn
- Member of the British Association of Sports Law

## Notable Cases

### **R v Kurd & Others - Murder (2018 – Leicester Crown Court)**

Prosecution of three defendants who caused a massive explosion in the basement of a shop on the Hinckley Road in Leicester killing five people. The three defendants were convicted of murder after plotting to kill using approximately 50 litres of petrol and other flammable liquids. The two principal defendants received life sentences with a minimum recommendation of 38 years imprisonment (the third defendant received a minimum recommendation of 33 years imprisonment). The case generated considerable press interest nationally and internationally.

### **R v Cerneckas & Others – Murder (2018 – Nottingham Crown Court)**

Prosecution of seven defendants alleged to have murdered a man during a revenge attack in Boston, Lincolnshire. The deceased was beaten to within an inch of his life, tied, gagged and left for dead. Five defendants convicted after a ten week trial involving considerable telephone, CCTV and scientific evidence.

### **R v \*\*\*\*\* (2018 – Stafford Crown Court)**

Defence of a legal representative accused of offences of dishonesty. The defendant was acquitted part way through the trial after the prosecution accepted the evidence against the defendant had been fundamentally undermined by that stage.

### **R v Jagdish Patel & Others - Importation of class A drugs (2018 – Leicester Crown Court)**

Prosecution of six defendants involved in the importation of massive quantities of cocaine and heroin. The defendants were part of an organised crime group who had been operating in the East Midlands and London. The cocaine was imported from South America, via Holland, concealed in secret compartments within office furniture. The heroin was imported from Pakistan in a variety of different ways. Two of the defendants convicted after a ten week trial were long established international drugs traffickers of a very serious calibre.

### **R v Sillah and Others - Murder (2017 – Birmingham Crown Court)**

Prosecution of a defendant who stabbed two men during late night street attacks in Leicester in December 2016 (section 18) and February 2017 (murder). The evidence involved considerable CCTV evidence involving footage of the two incidents and the movement of the defendants before and after the attacks. The co-defendants were charged with, and convicted of, offences of violent disorder.

### **R v Muzaffer Ali & others – Importation and supply of firearms (2017 – St Albans Crown Court)**

Prosecution of an organised crime group from Luton involved in importing firearms and ammunition from Holland into the United Kingdom. The evidence involved a vast amount of telephone evidence, along with a substantial amount of evidence from Holland and France. The principal defendant was an organised criminal of a very serious calibre who received a life sentence.

### **R v Taylor and Taylor – Rapes and numerous other sexual offences (2017 – Leicester Crown Court)**

Prosecution of a married couple involved in committing serious sexual offences on numerous vulnerable children over approximately 15 years – both their own children and others from their local community in Northampton. The male defendant, whose offending was of the utmost gravity, received a life sentence upon conviction. The offending had an unprecedented number of aggravating features including the fact that the defendants had introduced many of the victims to crack cocaine to facilitate their offending. Some victims were subjected to degrading/humiliating behaviour, some were sexually assaulted in groups, all were thoroughly corrupted by the criminal conduct.

## **Other Posts**

Legal advisor to the Leicestershire RFU Constituent Body on disciplinary matters.