

Kenneth Aylett

1973 (Inner Temple)



QUALIFICATIONS

BA (London), BL
Member of the Irish Bar

PROFESSIONAL ASSOCIATIONS

Criminal Bar Association
Bar European Group
Society of English and American Lawyers
American Inn of Court, London

AREAS OF SPECIALISATION

Ken appears in almost every type of criminal case, including treason, murder, robberies, rapes, drugs importations, extradition, obscene publications, international plant and car ringing conspiracies and telephone sales conspiracies amongst others.

On the Attorney-General's Panel of Counsel, List A, Ken is approved to prosecute cases of great weight, complexity and public importance, and is approved at Grade 4 on the CPS External Advocate Scheme.

Collecting and presenting foreign evidence in court, he has particular experience in the international aspects of criminal investigations and procedures.

He has made a speciality of the impact of the European Court of Human Rights on the English Criminal law and the application of the Human Rights Act to English case law. He has a substantial practice in both defence and prosecution across all areas of crime, more notably white-collar crime, fraud and corruption. Ken has also advises on police investigations into the activities of major criminals, and into the alleged crimes of police officers.

RECENT CASES

- Money laundering and property export fraud between the UK and France of £millions
- Money laundering facilitating transfers between the UK, Spain and the Netherlands, up to £4million
- A fraud on the Inland Revenue over many years using 4 companies and many associates covering the UK and Eire
- An Inland Revenue and VAT fraud amongst the gang masters supplying labour to the agricultural industry using ghost companies and ghost workers
- A cannabis factories conspiracy involving kidnapping, violence, and collecting evidence in UK and Vietnam
- A fraud on a bank by using false bank accounts and phishing
- A handling and theft fraud involving vehicles and insurance companies

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- A money laundering conspiracy involving bank transfers between the UK and Rumania and the export of Stolen property; and a death by careless driving
- Has taken a case on the introduction of evidence of character to the European Court of Human Rights

NOTABLE CASES

Ken has appeared for the CPS in the lengthy "Corley Enquiry," looking into the circumstances in which major criminals caused the conviction and long prison sentence of an innocent police officer for a series of robberies. There followed convictions for criminals and officers for perverting the course of justice.

He was involved in a major investigation into the activities of police officers from Stoke Newington allegedly recycling and planting drugs, the "Jackpot Enquiry," which involved appeals of many convicted by the evidence of Stoke Newington police officers.

A SAMPLE OF FRAUDS

R v Lowery & Others

Prosecution in the "St Paul's Cathedral fraud" involving £100 million advance fee and prime bank instrument fraud and concerning foreign resident witnesses from Saudi Arabia, Italy, the USA and elsewhere

R v Wood

Allegations of Inland Revenue fraud by a company concealing its activities by false accounting practices

IMRO's investigation of, and multi million pound payment by, **Morgan Grenfell** following "The Peter Young Affair," defending the Chief Executive

R v Ohanwe & Others

Prosecuting an international advance fee fraud, directed from Nigeria, against local and central banks and individual victims throughout the world, with potential losses reaching £500 million

R v Kichlu and Woods

Prosecuting an international advance fee and high yield income fraud, involving many millions of pounds, with witnesses from around the world

R v Oakley

Successfully defending in a mortgage fraud - taking the point that no offence was disclosed in law, which occurred as a result of overturning a principle of law and the introduction of new legislation

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R v Tucker & Others

Defending employees in “Iceland” for corrupt practices following the float of the company on the Stock Exchange

R v Edwards & Others/ Lindsay & Others

Defending in long firm frauds, with victims throughout the UK

A SAMPLE OF CASES CONCERNING PROFESSIONALS

R v Shah

Defending a CPS Solicitor on charges of blackmail over his business activities

R v Omotoso

Defending a solicitor for money laundering, involving a client account deficit of £1.8 million
Successfully reducing confiscation to £1

A SAMPLE OF FRAUD AND SMUGGLING OFFENCES

R v Simms & Others

Smuggling of drugs from the continent. Defence allegations of state sponsored crime, by undercover and participating officers from the UK and abroad, both instigating the crime and recruiting the defendants

R v Daniel Warren & others

Defending in a carousel / diversion fraud that collapsed after points of law were taken re disclosure failings by HM Customs & Excise.

R v Pearce & Others

A conspiracy to cheat the Inland Revenue, by smuggling millions of pounds worth of cigarettes and tobacco. The successful point of law taken was on the insufficient specificity of common law offences

R v McNess & others

Defending in a drug smuggling case, in which the alleged controlling figure was released at the end of the prosecution case, following the forensic destruction of a telephone/contact schedule

R v Colgan & others

Defending in a multi-million pound smuggling conspiracy, with operations from the continent to Northern Ireland and the UK. Lengthy and complex legal arguments on duplicity in the evidence and disclosure failings resulted in a stay of the case after months of trial

R v Lebitsa & others

Defending in a case in which industrial quantities of cannabis were smuggled by a Soweto defendant from South Africa. Confiscation figure reduced to zero after seven hearings

R v Quintero-Hoyas & others

Representing a Columbian drug smuggling organizer, the kingpin in a trail which led from Columbia to North London

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A SAMPLE OF OFFENCES OF VIOLENCE

R v Ponton & others

Successfully defending in a North London gang kidnapping involving firearms

R v Cummings

Defending in a gang revenge murder, and subsequently appearing for the opposing gang in cases of murder and attempted murder resulting from their retaliation

R v Regan

Representing a brain damaged defendant charged with the murder of his friend.

R v Draper & others

Defending a case of riot, the offence having occurred at the Rochester Young Offenders Institute

R v Gaba & others

Successfully taking a point of law whilst defending an asylum seeker in the Yarlswood Detention Centre Riot, in which the inmates destroyed the premises by arson

R v Gill & others

A case involving forced and sham marriages of drugged girls in the UK and in India. Handling the defendant in giving Queen's Evidence

A SAMPLE OF SEX CASES

R v Kordasinski

Defending an alleged rapist from Poland, convicted of similar rapes and kidnapping in Poland. His appeal to the European Court of Human Rights on the point of properly proving foreign convictions is ongoing

R v Hidir Sil

A case of marital rape by a husband living at home in a shed in the garden

R v Van Someren

A case concerning a paedophile's rape of his own son

A SAMPLE OF SPECIAL CASE WORK

- Advising in "Operation Kingsbourne" on the most effective way of removing the assets from a major criminal
- Advising and prosecuting in allegations against police officers in a variety of cases, including kidnap of their own suspect
- Prosecuting police officers for their hot pursuit of suspects, resulting in the death of the suspects
- **R v Westell** - a case in which 'Fathers for Justice' closed 6 major roads around London in the rush hour, taking a Human Rights Act point combined with common law nuisance to justify their actions

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OTHER INFORMATION

- Teacher of Advocacy to junior barristers for over 25 years
- Grade A advocacy trainer IATC
- Member of the Inner Temple Advocacy Committee. Ken has organised mock trials for junior barristers and been a director of the junior tenants continuing education programme. In addition to running advocacy courses for barristers, he judges moots for young barristers at various Universities
- Guest lecturer/trainer on advocacy courses in California and Ontario
- Panel member at the California Bar Conference
- Founder member of the American Inn of Court, London
- Presentation of demonstration trial in Warsaw to Russian and East European Judges through the OSCE/ODIHR
- Conference Lecturer for ECHR/HRA (Bar Council) on the Human Rights Act
- Lecturer to the legal authorities in Belgrade, Serbia, on the handling of informers, following the assassination of the Prime Minister
- Ken has served on many committees for the advancement of the Bar and the gaining of advanced advocacy skills

Broadcasting: He has provided commentary and analysis of trials and current legal issues on television, especially on the USA Clinton/Paula Jones/Monica Lewinsky saga, and the Louise Woodward child battery case

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