

Tom Nicholson Pratt

1986 (Lincoln's Inn)



Qualifications

LLB (Hons) London

Appointment

Recorder of the Crown Court, South Eastern Circuit (2004) - Authorised to hear allegations of serious sexual offences

Professional Associations

Criminal Bar Association

Experience

Tom Nicholson Pratt has specialised in criminal law exclusively from the beginning of his career. His practice covers the full range of serious criminal offences, regularly both prosecuting and defending. In particular Tom has represented clients in trials for fraud, offences of violence including murder, Class A drugs, and has appeared in the Court of Appeal (Criminal Division).

He has been instructed by many of the CPS branches in London, including Casework Directorate and Special Casework, and is experienced in dealing with cases that have a sensitive element, both as junior and leader.

When defending, Tom has been instructed by a variety of well established solicitors in London in serious cases, again both as junior and leader.

Cases of Interest

R v R(2011)

Tom appeared as leading counsel for the defence in this multi handed trial, lasting 7 weeks. All defendants were alleged to be part of a conspiracy to rob and kidnap at gun point . A large part of the evidence involved several months of covert recordings, together with telephone and cell site analysis. The client was acquitted.

R v G(2011)

Defended G , who was charged with offences including making pseudo images of children. The material involved was substantial and covered all 5 levels . The defendant also had convictions for child related offending. Although he pleaded guilty, and the prosecution suggested an indefinite sentence was appropriate , Tom successfully persuaded the court to impose a determinate term.

R v H(2010)

H was charged with another with firearms offences. A search warrant based on information from an informant was executed by operation trident officers led to the discovery. Forensic evidence linked the firearm and ammunition to a bag captured on CCTV , in the possession of the defendant. Case had a substantial amount of PII hearings at the request of the prosecution. Initially judge upheld prosecution application neither to confirm nor deny. At the close of the case , both defendants having given evidence, the judge finally ruled the prosecution had to disclose whether a named individual was or was not the informant. Crown having discussed the matter at senior levels of police and cps, declined to comply and offered no further evidence resulting in the acquittal of the defendants.

R v C (2010)

Instructed privately to review a conviction for firearms offences, following the refusal of leave by the single judge. Having advised on fresh evidence, Tom secured leave to renew the application for leave, and at the full hearing persuaded the Court of Appeal to quash the convictions.

R v J (2010)

J charged with another, with double murder and double kidnapping, sacked his legal representation mid trial. Tom led by Queens Counsel was instructed at short notice to take over the trial, which had 4 weeks still to run. An application to discharge the jury was refused, but a short adjournment granted for the new team to familiarise themselves with several thousand pages of evidence and unused material. With his experience of leading a murder trial before, Tom was of considerable assistance to his leader in this period of intense preparation, and the remainder of the case. Both defendants were convicted having run cut throat defences.

R v T (2009)

Leading junior for the defence of T alleged to be a major supplier of class A drugs to one of the Home Counties. The case commenced with legal argument lasting a week, concerning amongst other issues, the prosecution's relatively novel application to use the interviews of two co defendants as evidence of the truth of their contents, against T, under the hearsay provisions of CJA 2003. In the event the trial that was due to last about 4 weeks, did not take place, as a result of discussions between counsel, resulting in T pleading guilty on a basis that reduced his sentence which would have been well over 10 years, by half.

R v K (2009)

Represented K who was charged with a serious sexual assault on a female member of the public whilst in the course of his employment. He worked at a concert venue, and was said to have committed the offence when the female left the hall during the performance, in order to use the lavatory. Defence requests of the prosecution led to the discovery of material that formed the basis of an application to cross examine the complainant on certain aspects of her sexual history. As a result of the application the prosecution made the decision to offer no evidence.

R v H (2009)

H was 19 years of age and charged with the attempted rape of a 13 year old. The two had met in a town centre, and had wandered off together to the rear of a quiet residential area where the attempt was said to have occurred. The principle witnesses for the crown were the complainant and her equally young friend who had been nearby, with an acquaintance of the defendant at the crucial time. This case required careful cross examination by Tom given the age and maturity of the defendants. Due to an administrative error by the court, the trial had to be abandoned after the completion of their evidence, but before the close of the prosecution case. The case was thereafter reviewed by the prosecution, and no evidence offered.

R v L (2008)

L was first on the indictment, and one of four defendants charged with murder. Tom acted as leading junior in his defence. The case ran for seven weeks at the Central Criminal Court, and involved all defendants running cut throat defences, as all were placed at the scene of the offence by forensic evidence. The deceased, who was said to have stolen significant quantities of drugs from a triad group, was severely beaten to death with various implements. In addition to the nature of the defences, the case involved complicated pathological and neuro pathological evidence on the issue of the cause, and timing of death.

R v K (2008)

This defendant was charged with rape. The complainant, a young student was attacked whilst walking home along a secluded footpath at night. Having dragged her into some undergrowth, she was subjected to serious violence before being sexually assaulted. Significant scientific evidence was left on her and at the scene which resulted in the defendant's plea of guilty. Tom acted for the defendant, and was able to secure the least sentence, in the circumstances.

R v M (2008)

Led for the defence of M charged with murder arising out of the killing of a "faith healer" alleged to have swindled a member of M's family out of a significant sum of money. Amongst those indicted with M in the two month trial, were his brother and M's closest friend. The deceased had been lured to an address where he was tortured and then brutally killed. A significant part of the case for the prosecution rested on a huge volume of telephone traffic and cell site analysis,

requiring detailed cross examination. This was tactically a difficult case since M who denied being involved in the murder, in the days following its commission had become aware of what had happened during the crucial time. He did not wish to implicate others by giving evidence of what he had heard, but simultaneously had to refute the allegations being made against him in a cut throat defence with one of his co defendants.

R v P (2007)

Representing one of nine defendants in a two month trial alleging conspiracy to import several million pounds worth of cocaine. The case presented by the Crown was that the drugs were flown into the UK from Europe, the phone attributed to the defendant said to have been a central point of contact in the conspiracy.

R v G (2007)

Acted for the defendant who, with others, was tried for conspiracy to rob. The group were said to be responsible for a series of violent 'steaming' robberies on trains. The case concluded with an Attorney General's reference.

R v J (2007)

Led by Queen's Counsel in the defence of a young man indicted with three others on murder and perverting charges in a two month trial at the Central Criminal Court. The defendants were alleged to have literally beaten the deceased to death and then dumped his body on common land. Case involved cut throat defences.

R v C (2007)

Defended a practice manager of a large doctors' surgery in substantive and confiscation proceedings. The client was alleged, over a five year period, to have defrauded the practice of over a third of a million pounds, by falsifying accounts and documents and then siphoning the money into several fraudulent accounts.

R v S (2007)

Prosecuted the defendant: a private tutor alleged to have kidnapped his tutee and obstructed the subsequent police investigation.

R v F and others (2006)

Instructed by CPS Special Casework leading for the Crown. Ten defendants were arrested as a result of an investigation by the Serious Crime Division of the Metropolitan Police, assisted by HM Customs & Excise, following a six month covert operation. Found secreted in furniture imported from Mexico was 4.5 tonnes of cannabis worth £12 million. Material generated by the inquiry included a large amount of phone traffic, visual surveillance, covert audio and video recordings and financial evidence, in addition to substantial sensitive matters.

R v R (2006)

Acted for the defendant, one of 11 arrested following a year long police undercover operation into the sale of substantial quantities of Class A drugs and firearms in Essex. Voluminous transcripts were relied on by the Crown, obtained by undercover officers wearing covert audio and video recording devices.

R v I (2006)

Represented the defendant, one of seven indicted with conspiracy to defraud, robberies and thefts. High performance and high value cars were stolen or 'car jacked', following which the identity of the vehicles were changed, and used to make fraudulent insurance claims amounting to hundreds of thousands of pounds.

R v K and others (2006)

Instructed by CPS Special Casework as lead Counsel in the prosecution of eight defendants for offences of kidnapping, false imprisonment, GBH, and perverting the course of justice. The case arose out of a feud between rival gangs as a result of which, on two separate occasions, members of one gang were abducted, detained and subjected to serious assaults with weapons. Thereafter steps were taken to try and prevent the case going to court, leading to the main prosecution.

witness having to enter the witness protection programme. Cases involved significant issues of disclosure and PII.

R v R (2005),

Junior counsel for the defence in a trial for murder. The client was one of three alleged to have stabbed and battered the victim to death with a baseball bat

R v E (2005)

Leading counsel for the defence in this trial of attempted murder and GBH which involved a shooting and a separate allegation of GBH (use of a knife) on a different complainant, in the West End of London, on a Saturday night.

R v B (2004)

Represented the defendant at trial and in the Court of Appeal. The defendant, an alleged heroin dealer, was the leader of a group who kidnapped and repeatedly assaulted the victim with a stun gun. The case became Court of Appeal authority for sentencing for this type of kidnapping and false imprisonment.

R v C (2004)

With Queen's Counsel, acted for the defendant tried at the Central Criminal Court for murder, following an altercation in a public house. The defendant was said to have returned to the scene armed with a knife and stabbed the deceased numerous times in front of many witnesses.

R v M, H and H (2003 - 2004)

Instructed by CPS Casework Directorate to prosecute a financial advisor of A D (now Z F S) who, by deception, theft and forgery, had swindled retired investors out of some £1.3 million. The money had been ploughed into a company run by the advisor and his co-defendants, and then squandered. Prior to the instruction of leading counsel, Tom reduced the initial 76 charges to a manageable indictment; drafted the prosecution case statement and chronology; prepared extensive admissions, and advised in relation to schedules and trial exhibits.

Operation Hodin (2004)

Instructed to prosecute a series of cases arising from an investigation, using various covert methods, into Class A drug dealing in parts of West London.

R v S (2003)

Junior counsel for the defence in this case which concerned documents that purported to be US Treasury Bonds, or Federal Reserve Notes, issued in the 1930's, with a face value of 2.3 trillion US dollars. The prosecution case was that, knowing that the documents were false, the defendants intended to use them in a conspiracy to defraud financial institutions and wealthy individuals of huge sums of money. An unusual aspect of preparation was the requirement to develop a knowledge of the political upheavals in China in that period, so as to place the defence case in context.

R v S (2001 - 2002)

Instructed as junior for the Crown in the prosecution of four defendants charged with conspiracy to supply 180 kilos of heroin. Complex PII issues and consequent ramifications formed a major aspect of this case.

Operation Crackdown (2001)

Prosecuted a series of cases in this investigation by the police into Class A drugs dealing in South London. Cases involved the use of test purchase officers; covert recording devices, and PII issues.

R v N (2000)

Defended a company director jointly charged with falsifying documents suggesting that armaments, to be supplied under contract to the Ministry of Defence, had been properly tested.

R v B and others (1999)

Defendants charged with conspiracy to handle computer parts with a value of £2 million. Instructed as junior counsel for the Crown. Substantial part of the Crown case involved the preparation of schedules and databases.

R v P (1998)

Defended one of a group of defendants indicted for conspiracy to supply Class A drugs. At the time, the group was regarded as the main supplier of crack cocaine and heroin in the West of England.