

# Caroline Moonan

Call 1997



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Caroline Moonan is an experienced barrister and criminal law specialist who both prosecutes and defends.

She accepts instructions from both private and publicly funded clients and appears regularly in a variety of courts, having experience across a wide spectrum of criminal cases.

When prosecuting, Caroline seeks to deal sensitively with witnesses and their families and has experience calling young children as witnesses.

When defending, she is scrupulous in spending time with her clients. She ensures that they understand the legal process, and the evidence and law involved in their cases. Caroline has experience in cross-examining young children called as witnesses.

Caroline is an extremely thorough barrister who prepares her cases meticulously. She is willing to raise any arguable point of law and enjoys exploring interesting legal issues.

## Expertise

### Violence

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#### Notable Violence cases

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R v W

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Defended a man charged with the murder of his mother. The Crown accepted a guilty plea to Aiding and Abetting Suicide.

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R v S

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Defended a man charged with Grievous Bodily Harm with Intent. An Abuse of Process Argument was successful as the CCTV had not been retained.

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R v D

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Defended a woman charged with Grievous Bodily Harm with Intent. She hit a man over the head three times with a glass. The defence was one of self-defence and the defendant was acquitted.

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R v B

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Defended a man charged with Grievous Bodily Harm with Intent. He punched a man to the floor then repeatedly kicked and punched him as he lay on the floor. The defence was that the defendant was present but was not one of the men involved. After Caroline's Legal Argument, the ID Procedure was ruled inadmissible. The Crown said that they would accept a guilty plea to Grievous Bodily Harm Without Intent. The co-defendant accepted that and was informed by way of a "Goodyear Indication" that he would not receive a sentence of immediate custody. The defendant did not accept the offered plea and was acquitted. The Crown offered no further evidence after Caroline's cross-examination of the complainant and eyewitness.

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R v B

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Defended a man charged with Grievous Bodily Harm with Intent. He attended a scene with a knife with the intent to stab a man. He ran up to the man and stabbed him repeatedly in the back (21 times). His defence was one of self-defence. After Caroline's cross-examination of the complainant and eyewitnesses, the jury was directed by the trial judge to acquit the defendant of the Grievous Bodily Harm with Intent Charge. The trial proceeded with the lesser charge of Grievous Bodily Harm Without Intent and the defendant was acquitted.

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R v G

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Defended a man charged with cruelty to his 12-year-old son. The defendant was acquitted.

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R v P

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Defended a man charged with Having a Dog Dangerously Out of Control, which bit a passer-by. Expert evidence was called by the defence which established that the marks on the injured person were not consistent with the teeth of the dog in question. The defendant was acquitted.

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## Serious Sexual Offences

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### Notable Serious Sexual Offences cases

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R v F

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Defended a man charged with multiple counts of Rape against his daughter, who was aged under 13 at the time of the allegations. This was a recent allegation and the complainant was still under the age of 13 at the time of the trial. An application to adduce evidence under Section 41 of the Youth Justice and Criminal Evidence Act 1999 was allowed. The defendant was acquitted of all charges.

R v Y

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Defended an elderly man accused of four historic counts of Buggery under Section 61 of the Offences Against the Persons Act 1861. The complainant was nine years old at the time. Legal issues in the case included doli incapax, and the presumption that a boy under 14 was incapable of sexual intercourse, and therefore incapable of committing rape. The defendant was under 14 years old at the start of the time span given by the complainant as to when he said the incidents had taken place. The defendant was acquitted of all charges.

R v H

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Defended a man charged with sexually assaulting his two children and his stepdaughter. The charges relating to two of the children were historic charges. The charge relating to the youngest child was recent. The defendant was acquitted of all charges.

R v S

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Defended a man charged with three counts of Indecent Assault and Attempted Rape on his niece. They were historic allegations. The defendant was acquitted of all charges.

R v A

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Defended a doctor charged with Sexual Assault. He was acquitted.

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## Firearms

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## Notable Firearms cases

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R v K

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Defended a man who pleaded guilty to Possessing a Prohibited Firearm. An Exceptional Circumstances Argument was successful. The court did not impose the minimum term of five years' imprisonment.

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## Fraud, Theft, Burglary and Robbery

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Caroline has prosecuted and defended in many cases of Fraud, Theft, Burglary and Robbery. She enjoys working on cases that involve detailed analysis of documents.

### Notable Fraud, Theft, Burglary and Robbery cases

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R v M

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Prosecuted a woman charged with stealing from the vulnerable adults that she was in charge of at a care home. This was a case that involved a lot of financial documents that had to be cross-referenced with each other. She was convicted.

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## Drugs

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Caroline has prosecuted and defended in many cases involving charges related to drugs.

## Road Traffic and Motoring Offences

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Caroline has prosecuted and defended in many motoring cases.

## Private Prosecutions

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Caroline has prosecuted many cases of Fraud on behalf of borough councils and is rigorous in her preparation and attention to detail.

## Confiscation

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Caroline has prosecuted and defended in many Proceeds of Crime Applications.

## Unusual

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### Notable Unusual cases

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R v I.

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Instructed by the Court of Appeal to represent an appellant who had been granted Leave to Appeal his conviction and was unrepresented. The appellant had changed his pleas from ones of not guilty to guilty on the day of his trial. Caroline successfully argued at the Court of Appeal that the appellant's decision to change his pleas was not a voluntary one; it was not a true acknowledgement of his guilt and as such the proceedings were a nullity. The conviction was annulled.

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## Memberships

- Lincoln's Inn