

# John David Clifford

Call 1998



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John has extensive experience in serious and complex criminal litigation acting as both Leading and Junior Counsel in cases involving Serious Organised Crime, Attempt Murder, Rape and Serious Sexual Offences, Conspiracy to Supply Class A drugs, Firearms & Drugs Importation, Fraud and Appellate Advocacy. Instructed to prosecute Regulatory Offences including Fire Safety, Fraud, Trading Standards & Proceeds of Crime. He has been referred to as, 'careful, diligent, determined and well prepared', and 'conducting himself with the highest standards in Court'.

CPS Advocate Panel Member, Level 4.

CPS Serious Organised Crime Group Specialist Panel Member, Level 4.

CPS Rape and Serious Sexual Offences Specialist Panel Member.

Serious Fraud Office Specialist Panel B Member.

Senior Research Assistant 1999 – 2001: The New English and Welsh Arrestee Drug Abuse Monitoring (NEW-ADAM) programme was a Home Office/University of Cambridge national research study of interviews and voluntary urine tests designed to establish the prevalence of drug use among suspects arrested by the police).

## Expertise

### Serious Organised Crime

## Notable Serious Organised Crime cases

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### Operation Yamata – Inner London Crown Court

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Currently instructed by C.P.S. in Modern Slavery case in which young victim was groomed and forced to sell drugs by Defendant who was also involved in organised criminal activity including a separate recent conviction for possession of a firearm with intent to endanger life. The case has involved expert cell site, gangs and hearsay evidence.

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### Operation Deftmol/Chanco– Woolwich Crown Court

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Currently instructed by CPS Serious Organised & Violent Crime Division and lead by Ben Douglas-Jones K.C. in case involving two loaded firearms including a submachine gun, conspiracy to supply Class A and organised criminal activity involving cell site, forensic and gangs evidence.

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### R -v- Dixon – Southwark Crown Court

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Instructed to prosecute case involving the importation, conversion and sale of prohibited firearms and possession of an arsenal of weapons and equipment including 102 rounds of live ammunition with the potential to inflict lethal consequences. In total 26 firearms were seized, [16 of which were prohibited], from the Defendant's home address as well as an arsenal of weapons including explosive substances and gunpowder, a vast amount of live ammunition and magazines as well as zombie knives, smoke grenades and garrotes. A-G Reference allowed with sentence increased from 8 to 11 years.

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### R -v- H & Ors – Croydon Crown Court

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Instructed by CPS Serious Organised & Violent Crime Division in attempted murder case involving an armed confrontation and violent disorder between two Albanian gangs. The case involves the use of CCTV, ring doorbell footage and firearms experts

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### Operation Zoetic – Southwark Crown Court

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Instructed by CPS Serious Organised Crime Division in case involving an arsenal of weapons including numerous firearms, explosives, smoke grenades, knives and forged I.D. documents. The firearms had been imported from Slovenia and Spain and then converted before being sold on to customers in the U.K.

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### Operation Meaning – Kingston Crown Court

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Instructed by CPS Organised Crime Division in case involving prohibited firearm, ammunition and possession with intent to supply Class A drugs. Defendant made subject to two minimum mandatory sentences resulting in a term of 13 years imprisonment in total

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#### Operation Boilerman – Kingston Crown Court

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Conspiracy to Supply Class A drugs. Instructed to Prosecute by CPS Organised Crime Division in investigation by National Crime Agency involving major conspiracy to supply 10kg cocaine at 90% purity with a street value approx. £1m. Both Defendants sentenced to 7 years and 6 years imprisonment respectively.

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#### Operation Cliented – Maidstone Crown Court

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Conspiracy to Supply Class B drugs. Instructed to Prosecute by CPS Organised Crime Division in investigation by National Crime Agency involving major conspiracy to supply ½ tonne cannabis imported from Holland. Principal two Defendants convicted and sentenced to 6 years and 5 ½ years imprisonment.

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#### Operation Ravehood – Blackfriars Crown Court

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Possession with intent to Supply Class A & Production of Class B drugs. Prosecuted case involving investigation by National Crime Agency into Class A drugs supply and Organised Criminal Network. Surveillance on Defendant who was driving a van found to have secret compartments for transporting controlled drugs. There was ½ kg cocaine at 90% purity and a cannabis factory seized at Defendant's address. Convicted and Sentenced to 8 years imprisonment.

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## Serious Violence - Attempted Murder/GBH with intent

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### Notable Serious Violence - Attempted Murder/GBH with intent cases

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#### R –v- Waysom – Wood Green Crown Court

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Attempt Murder. Instructed to Prosecute in a case where victim stabbed in the head and neck. Pathologist instructed to assess proximity of wounds to vital organs. Extensive use of Graphics Package to illustrate movement of Defendant on CCTV to his hostel and of further possession of a knife a few days later.

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#### R –v- Cooke – Inner London Crown Court

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Prosecuted Attempt Murder case in which vulnerable elderly victim was stabbed several times in his own home, suffering serious injuries including a punctured lung. Pathologist and body mapping report on severity and causation of injuries. Defendant convicted of s.18 GBH with intent after trial. Convicted and sentenced under dangerousness provisions in Criminal Justice Act 2003 to 15 years imprisonment.

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#### R –v- Darren Scott - Central Criminal Court

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Attempt Murder. Instructed to Prosecute case in which the Defendant befriended the victim on the gay dating app 'Grindr' and stayed at his Mayfair address during which time he told friends that the victim's flat was his own and helped himself to use of the victim's credit cards. After two weeks during the course of which both had a sexual relationship, the Defendant stabbed the victim as he lay in bed twenty two times, causing life changing injuries. The case involved the use of blood splatter forensic analysis, complex mobile and cell site analysis. The Defendant was convicted and sentenced to 17 years imprisonment.

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R -v- Brand & Nicols – Snaresbrook Crown Court

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s.18 GBH. Instructed to Prosecute case where victim subjected to attack by two others and sustained bleed on the brain. Both charged with s.18 GBH. Victim subsequently died a month later. Expert in pulmonary embolisms instructed on causation to determine whether original injuries from assault lead to ultimate cause of death which was a clot on the lung.

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R -v- Owen Saunders & Ors – Woolwich Crown Court

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Attempt Murder. Prosecuted Case involving serious violence within the travelling community which resulted in one victim sustaining life changing injuries. One Defendant was represented by a Q.C. The victims did not appear on the day of trial and an application was made and granted to have the 'sole and decisive' evidence read to the jury under s.116 Criminal Justice Act 2003. Due to events, the Defence renewed the application on two further occasions and on each occasion the Court upheld the initial ruling.

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R-v- Ky-Shan Muir - Blackfriars Crown Court

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Violent Disorder. Prosecuted case in which the Defendant acted in an aggressive and threatening manner as the leader of a gang with a, 'Rambostyle' knife when he was challenged by the victim who was defending his friend at a party attended by nearly 400 young people at the Andover Community Centre. The victim was then dragged along the ground and stabbed in the thigh. Fifteen similar knives were seized from the Defendants room as well as rap lyrics which were of a violent and sadistic nature. The Defendant was convicted and sentenced to 51 months imprisonment. The case involved an anonymity and voice modulation application under s.88 Coroners and Justice Act 2009.

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## Conspiracy to Supply Class A Drugs

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### Notable Conspiracy to Supply Class A Drugs cases

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R -v- S & Ors – Snaresbrook Crown Court

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Instructed by C.P.S. to prosecute three Defendants who were using the dark web to source and distribute commercial quantities of numerous Class A, B & C drugs. Use of expert evidence and use of PGP keys used to access the dark web. All Defendants convicted and awaiting sentence.

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**R –v- Brown – Kingston Crown Court**

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Operation Trident investigation into importation of firearms from Slovenia. Package intercepted containing a number of pistols and fully automatic machine gun at courier depot. Defendant had previous conviction for the armed robbery of a bank. Defendant convicted and sentenced to 10 years imprisonment.

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**Operation V-Rod – Woolwich Crown Court**

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Operation Trident investigation into County Drugs line from South-East London to Somerset. Five Defendants arrested in vehicle on M25 with 300 wraps of cocaine and heroin as well as drugs paraphernalia. Investigation involved ANPR, forensic and cell site analysis. Case linked to Operation Hatchling and Forge run by Avon & Somerset Police into prolific drug dealing in Somerset. All Defendants convicted and sentenced to a total of 26 ½ years imprisonment.

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**R –v- Riaz & Taj Uddin – Snaresbrook Crown Court**

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Conspiracy to Supply Class A drugs; Conspiracy to transfer firearms, Conspiracy to commit fraud by false representation. Prosecuted Operation Trident investigation into an Organised Criminal Network involving the supply and use of firearms, supply of controlled Class A & B drugs on a commercial scale including importation of over 10kg of heroin from Pakistan and participation in fraudulent identity theft. Both Defendants convicted after trial and sentenced to a total of 25 years imprisonment.

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**R-v- Mirembe & Ors - Isleworth Crown Court**

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Conspiracy to supply Class A drugs. Instructed as Lead Prosecution Counsel. The principal defendant, Wilson Mirembe, was running an organised criminal drug supply network from his prison cell. Operation Trident Gang Command carried out surveillance in Maidenhead. One vehicle was stopped which was found to be loaded with 8 kilos of ketamine, 8 kilos of mephedrone and eight kilos of methadone-hydrochloride, also known as ‘meow meow’. More than £54,500 in cash was discovered. Sentenced to 9 years imprisonment.

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## Serious Sexual Offences

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### Notable Serious Sexual Offences cases

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**R -v- Ruggles – Snaresbrook Crown Court**

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Instructed to prosecute historic rape and sexual assault case of a minor under the old and new Sexual Offences Act. The victim was between the ages of 4-9 years old when the Defendant while acting as a babysitter engaged in multiple oral rapes and sexual assaults. The Defendant was convicted and sentenced under the dangerousness provisions to 20 years imprisonment.

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R –v- Suleyman – Woolwich Crown Court

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Rape, ABH, Threat to Kill, False Imprisonment and Robbery. Instructed to prosecute in case involving the use of considerable violence in the context of prolonged serious sexual offending. When the victim refused to engage in sexual intercourse, she was raped, assaulted, threatened with her life and detained against her will. Sentenced to 16 years imprisonment with an extended licence period of 5 years.

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R –v- Walters – Kingston Crown Court

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Rape & ABH. Prosecuted case where victim met Defendant through mutual friend on evening in question at her address. All three were drinking before Defendant followed victim upstairs and made unwanted advances in bedroom. When victim refused, Defendant hit her in the face causing a bloodied black eye. He then raped her. Successfully resisted Defence s.41 application to admit victim's previous consensual sexual behaviour with four other males. Defendant convicted and sentenced to 10 years imprisonment.

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R –v- Lukwiya – Blackfriars Crown Court

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Historic Rape & Sexual Assaults. Prosecuted historic sexual abuse by uncle on niece involving 9 charges of indecent assault under 1956 Act, Attempted Rape and Rape. Ground rules hearing and use of Advocates Toolkit. Defendant convicted after trial and sentenced to 15 years imprisonment.

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R –v- Ossoro – Woolwich Crown Court

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Multiple Sexual Assaults. Prosecuted multiple sexual assault case in which private tutor was alleged to have sexually abused two young children aged 8 and 11 years old. Ground rules hearing and use of Advocates Toolkit. Defendant convicted after trial and sentenced to 7 ½ years imprisonment.

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R –v- Van Loen – Snaresbrook Crown Court

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Historic Sexual Assault. Instructed to act for one of two brothers who was vulnerable and had learning difficulties who was accused of sexual assault in the 1980's on a minor when he was 14 years old. Advised expert psychiatrist be instructed who assessed that his mental development at that stage was such that he would not have known what he did was wrong. On this basis CPS offered no evidence.

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## Fraud and Immigration Offences

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### Notable Fraud and Immigration Offences cases

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R-v- Kenan Bakht & John Howard - Wood Green Crown Court

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AG Reference No. 48/49 of 2015

Conspiracy to facilitate unlawful immigration. Prosecuted case in which Bakht was a lecturer at the Kensington College of Business. The college was accredited to offer degree courses from the University of Wales, and a director of a company concerned in the recruitment of overseas students. Over a period of about a year, Bakht and Howard plotted to provide false documents and educational certificates which enabled students to apply to the Home Office for visa extensions. Students paid up to £4,000 each for the certificates. In total there were some 177 Home Office visa applications which were found to be fraudulent with a value of £300k. Both Defendants were convicted. Sentences of 5 years for Bakht and 2 1/2 years imprisonment for Howard were subsequently increased by the Court of Appeal to 8 years and 5 years imprisonment respectively.

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## Regulatory Law

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### Notable Regulatory Law cases

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R –v- C & Ors

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Instructed by Public Protection Partnership and West Berks Council to prosecute and provide pre-charge advice in let to let fraud worth approx. £100,000 with fifteen victim companies and three suspects.

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R –v- Paul Smith [Oxford Crown Court]

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Prosecuted fire safety case concerning a number of breaches of the Fire Safety Order (Regulatory Reform (Fire Safety) Order 2005), in which an abuse argument based on a promise not to prosecute was successfully resisted. Defendant subsequently pleaded guilty.

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## Court of Appeal

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### Notable Court of Appeal cases

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[Operation Pibera \[Part 1\] R –v- Brandford & Ors, Court of Appeal Criminal Division/Woolwich Crown Court](#)

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Conspiracy to Supply Class A drugs. Operation Pibera – Instructed to Prosecute as Leading Counsel. This case involved an investigation by Operation Trident Central Gangs Unit into multi handed county drugs lines operating out of London to the South Coast. All 15 Defendants were convicted. First three Defendants received sentences of imprisonment totalling 27 ½ years. On Appeal against Conviction the defence of duress was considered and: (i) the circumstances in which a judge is entitled to withdraw the defence from the jury, (ii) whether the fact that a threat was conveyed indirectly is a fatal bar to the defence, and (iii) whether the defence is available where there is mere pressure based on the exploitation of a relationship, see R. v. Brandford (2016) 160(48) S.J. 43, CA ([2016] EWCA rim. 1794) and [2017] 4 W.L.R. 17. The Appeal against Conviction was dismissed. Case linked to Operation Pibera [Part 2]

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which involves three of these Defendants in a major investigation on charges under the Modern Slavery Act 2015.

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R –v- GP & AL, Croydon Crown Court

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False Imprisonment & Sexual Assault. Prosecuted case where Defendants were represented by two Q.C's. The case involved extensive legal argument around disclosure and abuse of process. A ruling that stayed the case was successfully appealed under s.58 Criminal Justice Act 2003 and a re-trial was ordered. Led by Duncan Atkinson Q.C. T.C. in the Court of Appeal.

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## Education

M.Phil (Cantab); M.A. [KCL]

## Memberships

Member of Inner Temple

Inner Temple Bar Liaison Committee

Inner Temple Advocacy Assessor

Inner Temple Interviewing Panel member for BPTC Scholarship Awards

Evidence training for Metropolitan Police at Hendon

Visiting Lecturer King's College, London

Criminal Bar Association

South Eastern Circuit