



Gemma Maxwell

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Year of Call: 2014

“Gemma is highly intelligent and is able to grapple difficult and complex cases with aplomb. You know you are in safe hands when you brief her and you don’t need to worry as she has everything under control. Gemma has the respect of fellow barristers and is able to achieve excellent results in difficult circumstances. She has a great rapport with clients who trust her instantly.” **Legal 500 2022, Rising Star**

Gemma graduated from Oxford University with a 2:1 in Jurisprudence. Before joining the Bar, she worked as a police station representative and case worker at Tuckers Solicitors and went on to undertake pupillage in London. Gemma joined St John’s Buildings in September 2015. It has become apparent to all those who instruct Gemma that she has the gravitas of a much more senior barrister.

She has been involved in murders, historic sex cases, multi-handed rapes and large drug conspiracies. She is regularly first choice counsel by those who lead her. Her ability to grasp the facts and issues instantly are second to none. She is a persuasive advocate and popular with juries. The level of experience and success Gemma has achieved so far is commensurate with her outstanding ability.

EXPERTISE

Crime

Gemma has a busy Crown Court practice and has built a strong reputation in cases involving sexual offences. She has significant experience in dealing with vulnerable witnesses and defendants.

As a Grade 3 Prosecutor, Gemma is regularly instructed to prosecute all areas of general crime in the

Crown Court.

Court of Appeal

R v D et al (2018): Successfully appealed against sentence, securing the immediate release of the Appellant. Case reported in the Mirror and MEN.

R v C (2016): Successfully appealed against sentence. Case reported by ITV and in the Liverpool Echo and Chester Chronicle.

Sexual Offences

Gemma is instructed to defend the full spectrum of sexual offences including rape, sexual assault, indecent images, sexual offences against children and historic allegations.

R v H (2019): Rape; acquittal

R v H (2019): Assault by Penetration; acquittal

R v P (2019): Historic Rape allegation; acquittal

R v R (2019): Defendant with severe learning disabilities accused of rape; acquittal

R v G (2018): Defended in a three week trial involving 14 counts of historic sexual abuse against young boys. Case attracted national press coverage

Operation Lenten (2017): Junior alone; defended in a trial involved 14 defendants and over 45 allegations of Rape, Sexual Assault and Trafficking; acquittal. The case was reported in the Daily Mail, the Mirror and the Sun

R v E (2017): Rape, acquittal

Operation Linear (2016): Junior Counsel; defending in a multiple defendant trial involving over 40 allegations of Rape, Trafficking, Sexual Assault and Assault by Penetration. Not guilty verdicts entered at half time.

Violent Offences

Gemma regularly undertakes cases involving serious violence, including violence in domestic settings and child cruelty.

R v L et al (2019): defending; Causing Serious Injury to a Child; suspended sentence imposed after two week trial

R v H (2019): defending; section 18 involving cross-examination of pathologist re causation of injuries. Case attracted national press coverage

R v X et al (2018): Defending in a three week trial; Causing Serious Injury to Children where injuries to one AP were life threatening. Case reported in The Times

R v P and W (2018): Murder, Junior Prosecution Counsel

R v M (2017): Murder; Junior Prosecution Counsel. Defendant received a whole life tariff

R v D and R (2017): Assisting an Offender (Murder); Junior alone defending. Not guilty verdict following half time submission

R v K (2016): Murder; Junior Prosecution Counsel. The Defendant received a 20 year minimum tariff

Drugs Offences

Gemma defends and prosecutes the full range of drug offences and has had particular success in defending cases of possession with intent to supply.

R v H et al (2018): Junior alone in case involving county lines drug trafficking; drugs valued at £1 million +

R v H et al (2017): Led junior defending in drugs conspiracy trial; value over £1 million

R v L et al (2017): Junior alone defending in Class A conspiracy case.

R v K et al: Defending in drugs conspiracy; Crown offered no evidence on counts pertaining to Class A drugs after legal argument.

Dishonesty

R v W et al (2019): Leading Junior (defending) in three week trial pertaining to the fraudulent evasion of duty on tobacco products

R v B et al (2018/2019): Converting Criminal Property; defending in case lasting two months; not guilty verdict on Judge's direction.

R v A (2017/2018): Insurance Fraud; defending.