



Charlene Sumnall

Barrister

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Charlene enjoys a mixed criminal practice balancing both defence and prosecution work and is a member of the CPS General Crime panel (Grade 4) and also on the specialist panels for Serious and Organised Crime (Grade 4) and Fraud (Grade 3) .

“She has developed into a leading junior”

“A strong personality who is a fierce performer in court. She's very knowledgeable, brings a lot of energy to a case, and is good with tricky clients

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Specialist areas

Crime

Fraud, Business and Financial Crime

Consumer Law

Health & Safety

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She is known for her attention to detail, incisive cross examination and engaging style of advocacy. She is able to put both defendants and witnesses at ease allowing them to give their best evidence.

She has experience of being a sole junior, leading junior and led junior advocate in a range of offences including murder, manslaughter, GBH, Human Trafficking, large scale drug importations, Arson and Serious and complex fraud. She has a strong reputation in those cases where telephone or complex banking evidence requires close attention. She is increasingly instructed in cases where there are complicated issues arising over the biological evidence, its storage and its testing and has lectured on the same. She is renowned for having a strong understanding in cases where there is complex medical or scientific evidence to be analysed and presented.

Charlene is increasingly instructed by the CPS Appeals unit.

Areas of expertise

Regulatory, Consumer and Product Liability

Charlene has prosecuted for a wide number of local authorities and Private Prosecutors in all areas of Trademarks, Copyright, Environmental, Food Safety and Consumer offences. She has particular expertise in all areas involving the entertainment industry

She has prosecuted a multi-national food importer for contaminated food that had made its way to the consumer. The company had failed to notify the FSA and failed to issue a product recall. She has appeared in numerous cases involving products which fell foul of European Safety Directives.

Charlene has also appeared before the Civil Division of the High Court on injunctive relief proceedings arising out of the obligations placed on business under the Business protection from misleading marketing regulations 2008

She has represented numerous businesses charged with regulatory offences and has provided advice and training on due diligence regimes.

. She is a contributing author to the Blackstones Guide to the Consumer Rights Act 2015 and has had articles published in Trading Standards Journals.

Notable cases

Homicide

R v D, M and M – Charlene was instructed as leading counsel to prosecute this multi-defendant murder. The case involved a group of young men alighting from a vehicle and chasing the deceased who was yards from his front door before fatally stabbing him to the neck and heart. Convictions were secured.

R v PSM – defence junior for a defendant who was advancing diminished responsibility owing to co-morbid conditions of ADHD/ASD and possible personality disorder. The defendant had first been seen by specialists shortly after his first birthday and as such there was thousands of pages of medical and social services records which needed to be distilled into a manageable table form for the jury. Whilst the defendant was ultimately convicted of murder his tariff was successfully appealed as manifestly excessive R v Sharpe Meade [2025] EWCA Crim 568

R v CR – defence led junior in this double homicide within a family. The case called for tight cross examination of family members over the complex dynamics of the family and the attitude of one of the deceased towards the defendant. There was

also significant DNA and blood spatter evidence to consider and cross examine upon.

Operation Boulevard – Junior prosecution counsel in a case of Murder of a baby. The crown's case is that the defendant had shaken the child causing massive head trauma which caused a cardiac arrest from which the child died a number of months later after life support was withdrawn. The case involves complex medical evidence, from Neurologists, Ophthalmologists, Haematologists, Paediatric Specialist's and Pathologists. Alongside the complicated medical evidence there is also a large volume of material from Fact Finding Hearings in Family Court proceedings, that has been analysed for both evidential and disclosure purposes.

R v SS – Charlene was defence junior in a case that caught the attention of the press as it involved the murder of a Polish immigrant who was in the process of sexually assaulting a lone 18-year-old female.

Drugs

R v H – (Ongoing) – sole advocate for the Crown in an importation of 1004 kg (1 tonne) of cocaine via London Gateway. The case involves complex telephonic evidence as well as voice recognition evidence. Charlene has assisted in the drafting of an ILOR in order to obtain evidence from Bulgaria.

Operation Tokamak – Encrochat case (ongoing). Charlene was a lead junior in this case involving the importation of 300kg of cocaine from South America. Whilst most defendants pleaded guilty the main defendant did not, arguing attribution of the Encrochat handle. The NCA expert was called as to attribution and how the probe pulled the encrochat data. The remaining defendant was convicted. POCA is outstanding.

R v G and others – Appeared for the first defendant in a case that involved the importation via “coopering” from container ship to lobster fishing vessel. The case involved assimilating large amounts of telephone and satellite phone data

alongside the “olex” data from the plotter on board the fishing vessel.

Serious Violence

Operation Riso and Operation Jetson (Ongoing) – Charlene was the Crown junior in both operations. Both cases concerned the provision of home circumcisions by members of the public who were not doctors or registered medical practitioners. The cases involved novel law extending the exception in Brown and providing that circumcisions can become unlawful where the nature and character of the act has been changed due to the way the circumcisions were undertaken. I.e. where they were conducted in a way so as to create a significant additional risk of additional harm to the child in question. The cases are awaiting listing in the Court of Appeal.

R v RS and others – (Ongoing) – instructed as the sole advocate for the first defendant in this False Imprisonment and GBH case. The Crown allege that the defendant and others from within the HMO where he resided broke into the bedroom of another occupant and tortured him for a 12 hour period over a £50 drug debt.

R v DA and 5 others – Following a successful application made at half time Charlene’s client was acquitted of violent disorder arising out of an incident at the Croydon branch of “Tiger Tiger”. Following careful cross examination of both door staff and police on appropriate restraint techniques and the danger of positional asphyxiation the judge acceded to the submission that the danger to the restrained person was such that the behaviour attributable to her client was no more than necessary to protect another from the risk of serious injury and death. Other defendants were convicted

Fraud

Operation Ardent – (ongoing) – Leading counsel in a large-scale fraud upon Trustees. The case involves a company who purported to offer a trusts and wills service to clients. Once clients had placed their money in trust with the first defendant as a trustee, he is said to have used their money to fund his own lavish lifestyle and prop up other family members businesses. When clients asked for their money he engaged in high value risky bank trades without their knowledge losing even more of the client's funds which had not been ringfenced. The company became bankrupt and clients lost millions of pounds.

Operation Foremark – Leading Counsel in a substantial insurance fraud. The allegations arose out of a staged burglary at the home address of the defendants. The case involves the alleged theft of over £250,000 of antiques and as such involves a significant amount of expert evidence. Defendant faced charges of fraud and perverting the course of justice. Additionally in the course of reviewing the case it became clear that the defendant's had also perpetrated a large scale mortgage fraud and additional charges were added and the cases joined. The defendant received a sentence of 8 years imprisonment having been convicted of all counts. The case featured on 24 hours in Police Custody. The Convictions have been upheld by the Court of Appeal *R v McGrath*, [2025] EWCA Crim 1103

Operation Pileated – sole instructed prosecution counsel in a 7 handed courier fraud. All the victims were vulnerable and elderly. The case involved over 20,000 pages of complex telephone and vehicle tracking data, as well as observation evidence. The trial lasted 6 weeks. All defendants were convicted and all received substantial sentences of immediate imprisonment. Following this Charlene was subsequently instructed as junior counsel alongside James Norman to prosecute Operation Pleach (2018) an 11-handed version of the same offending investigated by the same police unit. This case resulted in a successful prosecution of the defendants. Confiscation and Serious Crime Prevention Order Applications are still ongoing.

R v ED – Case arose out of a complaint to the ASA. The case involved the defendant claiming to be a “Doctor” that operated out of rooms at Harley Street. He offered “live blood tests” to his clients for a large fee. The blood would be examined under a basic microscope and the defendant would find various “artefacts” in the drying blood from which he claimed to be able to tell that the patient was suffering from all sorts of ailments. He was then able to prescribe various medicines including colloidal silver which he said would cure all including HIV/AIDS and cancer.

Charlene called Professor Allan Hoffbrand one of the foremost Haematologists in the world. One of the reasons for her instruction in this case was her ability to understand, analyse and explain complicated medical evidence in an easily comprehensible way to juries. The defendant was subsequently convicted

R v HT – Charlene was sole instructed advocate in this tax avoidance case. The defendant was a notable military historian who over a period of 6 years worked for the MOD and various television companies. He had paid no tax on earnings of £1 million. His defence was that he was a bit of a “peter pan” character and lived a dysfunctional lifestyle. He had not actively avoided his tax obligations but they simply never occurred to him. Following Charlene’s opening the defendant entered a guilty plea to the indictment. He was subsequently given an immediate custodial sentence.

Sexual Offences

R v RJ – The client was charged with a single offence of non-recent buggery arising out of a consensual but unlawful sexual relationship. The Crown were prevented from charging any offences from the relationship owing to existing case law of the House of Lords in J. Charlene cross examined the complainant such that she admitted that any anal penetration may have been entirely accidental rather than deliberate. Following this concession Charlene argued that to seek a conviction in those circumstances would be an abuse of the courts process. The Court agreed and the case was stayed.

R v AN – Charlene was instructed to defend this 89 year old man into allegations stemming from over 45 years ago into sexual abuse of family members. Her client was medically unwell and unable to physically get to court for trial. He had no mental conditions that would otherwise have prevented him from giving evidence in his own defence. Charlene successfully argued that as special measures did not apply in her clients case to enable him to participate in his own trial the case should be stayed as an abuse of process.

R v CM – Following a 2 week trial Charlene secured acquittals on all counts for a 74 year old man who was alleged to have been sexually abusing his granddaughters. The case involved the cross examination of young and vulnerable witnesses.

Consumer

R v Thompson (Counterfeit children’s toys) (Hull CC and Court of Appeal) [2012] 1 W.L.R 571. Sole counsel instructed for the prosecution. Following a successful prosecution of Mr Thompson for selling counterfeit children’s toys the case was appealed on the basis that further counts should not have been added to the indictment post committal. The conviction was upheld and the case is now a leading authority on the amendment of indictments

Oldham Metropolitan Borough Council v Worldwide Marketing Solutions Limited and Kay [2014] EWHC 1910 (QB) – Charlene acted on behalf of both defendant’s in this case which considered the ambit of S222 of the Local Government Act when bringing enforcement action outside of the area of the local authority.

R v T and L. Instructed as the sole advocate in the successful prosecution of these two males for making and using counterfeit currency. The case involved calling expert evidence on the making of UK and Euro notes.

R v Canadian Timber Homes and Browne (Business Protection from Unfair Marketing Regulations) (Reading Magistrates). Successful defence of company and

director on a number of counts arising out of the regulations. The issue was whether a school contracting with CTH in the buildings for schools project could be considered as a business rather than a consumer. They were not found to be a business.

Appointments / Professional

- LLB Law and European Legal Systems (University of East Anglia/ Universiteit Leiden)
- LLM Human Rights and International Criminal Law (Queens University Belfast)

Scholarships

- *Kalisher Scholar 2003 (BVC major award)*
- *Sheldon Scholarship (Lincolns Inn)*
- *Sir Thomas Moore Bursary (Lincolns Inn)*

Memberships

- Criminal Bar Association
- Association of Regulatory and Disciplinary Lawyers
- South Eastern Circuit
- Committee for the Administration of Justice
- Amnesty International