

## Racheal Landin

Racheal is an experienced and well-respected barrister, with a dual specialism of family and crime. Racheal places equal importance on both practice areas, recognising the value each brings to her work.

In both disciplines, Racheal takes an assertive approach on behalf of her clients, robustly representing their interests throughout. She recognises the importance of every case to those who find themselves before the courts. Racheal builds a good rapport with her clients, providing advice to them in a way which is clear and



uncomplicated, but sensitively delivered.

Racheal's written and preparatory work is widely appreciated by those instructing her for its clear analysis and helpful guidance.

Racheal often receives praise from the judiciary for her persuasive and well-constructed skeleton arguments.

### *Crime*

Racheal prosecutes and defends across the range of criminal offences, but predominantly allegations of rape, serious sexual offences, and serious violent offences. She has a wealth of experience in dealing with vulnerable witnesses, principally children, and has a reputation for doing so sensitively and effectively. Racheal has a keen eye for detail, producing successful written arguments involving points of law and procedure. Racheal meticulously cross-examines witnesses, making careful use of disclosed material to the best advantage of the case she presents.

### *Family*

Alongside Racheal's criminal practice is her family practice, in which she regularly appears in private and public matters. Racheal has extensive experience of appearing for Local Authorities, parents, and Guardians alike. This aspect of Racheal's practice is complemented by her criminal experience. She appears in serious matters involving sexual abuse and non-accidental injury, where the strong working knowledge of both disciplines allows her to leave no stone unturned.

### YEAR OF CALL

2008

### AREAS OF PRACTICE

CRIME

FAMILY  
Divorce & Domestic  
Violence  
Public & Private Law  
– Children

REGULATORY

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### NOTABLE CASES

#### **Regina v DW, Teesside Crown Court**

Three week prosecution trial for misconduct in public office. Rachael appeared as junior to Anne Richardson. The case involved a substantial amount of unused material relating to witnesses who were either serving or released prisoners, bad character evidence, and historic allegations. All material was carefully handled by Rachael, enabling her and Anne to present a case resulting in guilty verdicts after trial.

#### **Regina v LH, Newcastle Crown Court**

Four week defence trial for conspiracy to possess a firearm with intent to cause fear of violence and Section 18 wounding with intent (among other offences). Rachael appeared as junior to Rod Hunt. The case involved careful analysis of firearms expert evidence, covertly recorded evidence, cell site evidence, and CCTV footage. The trial judge allowed their submission of no case to answer in respect of the most serious charge, resulting in a significantly reduced sentence to that which would have otherwise been passed.

#### **Regina v GH, Inner London Crown Court**

Two week defence trial, during which Rachael successfully defended her client accused of numerous sexual offences against a family member. He was acquitted of all offences before the jury.

#### **Regina v JM, Carlisle Crown Court –**

Two week defence trial. Rachael successfully argued to exclude scientific evidence adduced by the prosecution, which, following cross-examination of the complainant, enabled the counts of rape to be removed from the jury, with counts of attempted rape substituted.

#### **Regina v BW, Court of Appeal (Criminal Division)**

Successful appeal against sentence, where the sentencing judge placed the appellant into category 1 of the rape sentencing guidelines. The Court of Appeal agreed with Rachael's written and oral arguments, allowing the appeal and replacing the sentence with one in the lower category.

#### **Regina v SG, Durham Crown Court**

Successfully opposed the making of a Restraining Order alongside a SOPO. Following receipt of Rachael's skeleton argument, the sentencing judge conceded – inviting the prosecution to do the same – that there could be no argument against the defence representations. The sentencing judge commented that Rachael's skeleton argument was a model of how such documents should be drafted.

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### Regina v AB, Leeds Crown Court

Defended a prisoner serving life for murder in a sexual assault trial. After conviction, Rachael successfully opposed the imposition of a consecutive sentence to the defendant's life sentence.

### Regina v CW, Teesside Crown Court

Defended a young male in a multi-handed violent disorder trial. The case involved issues of Facebook identification, subsequent identification procedures, and bad character. Successfully opposed the admission of the defendant's bad character and methodically cross-examined witnesses, highlighting the unreliability of the Facebook identification and credibility of those witnesses. The defendant was acquitted following a two-week trial.

### Regina v DD, Durham Magistrates' Court

Represented the defendant, who was alleged to have assaulted his nephews, aged 9 years and 10 years at the time of trial. Secured the acquittal of the defendant following careful cross-examination of the children, the result of which led to a successful submission of no case to answer.

### R v SS, Teesside Crown Court

Appeared on behalf of the 14 year old appellant charged with theft. The appeal was allowed and the appellant acquitted following a successful Section 78 Police and Criminal Evidence Act 1984 argument relating to the purported recognition of the appellant by a Police Officer.

### Re: C (a child)

Advised the Local Authority in proceedings where a number of outstanding criminal investigations represented the principal concerns relating to the father. At the time of her instruction, proceedings were beyond the 26-week timetable and all parties opposed the Local Authority's care plan for a non-family placement. Following Rachael's advice, further disclosure orders were sought and granted (as drafted by Rachael). Using the disclosed evidence, Rachael advised and meticulously drafted the Local Authority's schedule of findings. Consequently, the Local Authority's care plan was not opposed by any party.

### Re: D (a child)

Represented the father in proceedings brought in relation to a newborn baby. Contested the applications for Care and Placement Orders at final hearing. Following 5 days of contested evidence, the Local Authority withdrew its application for a Placement Order and changed its plan to one of rehabilitation to the parents' care.

### Re: OB (children)

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Racheal represented the Local Authority in a fact-finding hearing in respect of serious sexual abuse of one of the children, perpetrated by the father. The case involved a number of complex issues, including applications for the child to give evidence, learning disabilities, and a concurrent police investigation. Following contested evidence, the trial judge made the findings as sought by the Local Authority.

### Re: A (a child)

Acted for the maternal grandparents, from whom the child had been removed following suspected non-accidental injuries. The Local Authority sought to place the child and unborn baby for adoption. Secured the return of the child and a recommendation that the Local Authority prepare a report for the placement of the unborn baby with maternal grandparents. The case resulted in the granting of a Special Guardianship Order in favour of the maternal grandparents for both children.

### Memberships

Lincoln's Inn.

Criminal Bar Association.

Family Law Bar Association.

### Qualifications

BA (Hons) English Language and Literature, 2:1, University of Leicester.

LLB (Hons), 2:1, University of Law (York and London).

Bar Vocational Course, Very Competent.

### Other interests

Advocacy Trainer (North Eastern Circuit).

Former Circuit Junior and current York Junior (North Eastern Circuit).

CPD lectures provided in both criminal and family practice areas.