

Graham Rishton

Call to Bar: 2022



Now with over a decade's-worth of experience of working within the Criminal Justice System, Graham joined Lincoln House Chambers in 2022. His career began at a Chambers and Partners Band 1 national criminal defence firm and, at the time of his departure, he was a director of the firm entrusted with working upon the firm's most complex work.

As a solicitor, Graham had specialised in acting in the most serious of cases across a broad spectrum of offences including murder and sexual offences. He developed a particular niche acting in large scale drug and fraud conspiracies in which he could utilise his ability to absorb and recall significant quantities of material. He most notably acted in the Royal Household Bribery Case for the only defendant to be acquitted in that case, and in the SFO v Unaoil trial which has been reported as the "World's biggest bribery case".

Graham has now brought the attention to detail and client care skills he developed as a solicitor to the bar where he is developing a reputation as a sought-after jury advocate. Remarkably, of his first 12 crown court trials since joining chambers 11 have resulted in acquittals. One such acquittal, achieved in the face of what had appeared to be overwhelming evidence, prompted the Judge to remark that the result was a "*triumph of advocacy over justice*".

Graham has received instructions in all manner of criminal cases including, but not limited to, sexual offences, serious violence and fraud. He has most notably acted for defendants in a series of drugs conspiracies (Operations Marina, Cove, Devour and Claret) and a defendant facing an alleged multi-million pound conspiracy to defraud allegation (Operation Bryson).

Graham accepts instructions in regulatory matters. He has successfully defended cash forfeiture applications and prosecutes such applications on behalf of the National Crime Agency. Other instructions have included acting on behalf of the DVLA, for local councils in licencing matters and on behalf of a HGV licence operator in a public inquest before a Traffic Commissioner. He regularly acts in seizure of goods cases on behalf of either private individuals or companies.

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Practice areas:

Crime

Regulatory

Road Traffic

Graham has also developed a busy motoring practice and regularly attends at the Magistrates' Court to act for drivers accused of drink or drug driving offences or to advance special reasons or exceptional hardship arguments. He notably retained the licence, after an exceptional hardship argument, of a driver who had accrued no fewer than 36 points.

A long-suffering Leeds United fan, Graham is a keen sportsman and plays football for his local side. He enjoys relaxing with his young family and running in the hills with his golden retriever Edith.

NOTABLE CASES

Drugs

Graham has significant experience in acting for defendants accused of all manner of drugs offences. He is instructed in numerous large-scale conspiracies. He has had particular recent success in securing suspended sentences for those accused of instances of possession with intent to supply class A drugs.

R v K – Preston Crown Court – Operation Marina – Defending in a five-handed conspiracy to supply Class A drugs conspiracy. The prosecution relied upon surveillance and cell site evidence. Graham represented the only defendant to be acquitted

R v P – Preston Crown Court – Operation Cove – Defending in an alleged 27-handed conspiracy to supply class A drugs in the Preston area

R v F – Preston Crown Court – Operation Devour – Defending in an alleged 28-handed conspiracy to supply class A drugs in the Leyland, Chorley and Preston area

R v P – Bolton Crown Court – Operation Claret – Defending in an alleged multi-handed drugs conspiracy in the Bolton area

R v V – Stafford Crown Court – Operation Zymotic - Led junior acting for defendant accused of participating in an OCG involved in a multi-million pound conspiracy to supply Class A drugs throughout the midlands

R v W – Preston Crown Court – Secured a suspended sentence for an armed forces veteran who had been convicted of supplying class A drugs

R v F – Manchester Minshull Street– Secured a suspended sentence for a lady convicted of supplying class A drugs after submitting an accepted basis of plea asserting she had been subject to controlling and coercive behaviour. This came further to a careful analysis of phone evidence.

Fraud/ Dishonesty Offences

Graham's initial undergraduate degree, before converting to law, was in economics. That provided a solid foundation for representing clients accused of serious fraud and financial crime. Over the years he has acted for defendants accused of all manner of such offences from those accused of defrauding their employer's to widescale conspiracies to defraud.

R v C – Leeds Crown Court – Operation Bryson – Led junior representing a former solicitor accused of conspiracy to defraud by way of being party to the fraudulent sale of trust products. The case was dismissed by the Judge at the conclusion of the prosecution case

R v H – Preston Crown Court – Representing a defendant accused of money laundering following a complicated phishing fraud. Graham advanced that he had been used as an unknowing mule. Defendant acquitted after 4 day trial

R v G – Manchester Minshull St Crown Court – Representing a defendant alleged to have committed a series of thefts. Prosecution based on identification evidence of a police officer. Defendant acquitted

R v G – Bolton Crown Court – Representation of a defendant who accepted the opportunistic theft of a vehicle from a driveway but denied burglary of the car keys. Acquitted after a 3 day trial.

Serious Violence

Graham is regularly instructed to act in cases of serious violence including S.18 assaults and cases of domestic violence. He is well versed in the various hearsay and Res Gestae provisions which are regularly utilised in such cases.

R v W – Burnley Crown Court – Represented a defendant accused of S.18 GBH involving a slash wound to the face. The charge was negotiated to a S.20 and the defendant obtained a suspended sentence order.

R v B – Durham Crown Court – Represented a defendant alleged to have slashed a fellow inmate at HMP Frankland. Graham’s client was serving life for murder. A section 18 was negotiated to a section 20 on the day of trial.

R v O – Burnley Crown Court – Represented at trial a defendant accused of arming herself with a large wooden pestle and causing injury occasioning actual bodily harm. The defendant was acquitted after trial, the jury accepting that she had acted in self-defence.

R v W – Burnley Crown Court – Defending a defendant accused of a S.18 GBH slash wound to the face. The charge was negotiated was to a S.20 and the defendant obtained a suspended sentence order.

Sexual Offences

Graham accepts instructions to defend those accused of sexual offences either at trial before a jury, or at sentence. He has had considerable success in securing non-custodial sentences for those accused of “online” type offenses such as indecent image offences and sexual communication offences.

R v H – Chester Crown Court – Defence counsel in a multi-complainant case in which the defendant faced allegations of sexual assault by penetration. Prosecution sought to rely on evidence from a “Fitbit” device but a successful s.78 application excluded it. Case also raised difficulties concerning cross-admissibility of counts. Client acquitted after a 4-day trial.

R v W – Manchester Crown Court – Representing defendant accused of rape and assault by penetration, in addition to serious domestic assaults. The Crown were persuaded to drop the sexual allegations in exchange for pleas to the domestic violence allegations.

R v M – Manchester Crown Court – Acted for defendant who pleaded guilty to inciting a child to engage in the commission of a sexual offence after being caught by a “paedophile hunter” group. A suspended sentence was obtained.

R v B – Manchester Minshull Street – Mitigation on behalf of defendant who had engaged in sexual communication with an undercover officer purporting to be a 13-year-old. Further investigation revealed indecent images on his devices. Suspended sentence obtained.