

Shirlie Duckworth

Call to Bar: 1997



Shirlie was called to the Bar in 1997 but in 2002 transferred to become a solicitor specialising in criminal law. Her experience allowed her to attain Higher Rights of Audience in 2007 and since then she has mainly practiced in the Crown Court. She has represented clients at every stage of criminal proceedings from the police station in the early hours of the morning right up to the Court of Appeal. Shirlie quickly developed as reputation as an outstanding HCA, earning the respect of the Judiciary and her peers; she founded the Manchester HCA group to help improve quality and standards of solicitor-advocates.

Shirlie has a good understanding of the pressures facing solicitors and is keen to assist them by providing prompt and informative feedback from court and in conferences. Chambers welcomed Shirlie in October 2012 when she transferred back to the Bar. After 14 years of defending criminal cases she is now on the CPS Advocates Panel as a level 3 prosecutor (application to upgrade to level 4 pending). She has provided evidential analysis & charging advice to the CPS Welfare, Rural and Health division.

Shirlie earned a reputation as a formidable advocate with enviable success rates in criminal trials. She is instructed on a range of cases: serious sexual and violent offences, conspiracy to supply drugs, money laundering, conspiracy to commit armed robbery and burglaries. She has been led in three murder trials and a money laundering/fraud case.

Professional Disciplinary work is a large part of Shirlie's practice. She is instructed by the General Medical Council to represent the Council before Interim Order Panels, Fitness to Practice Panels and the High Court. She also instructed by the Local Authority to prosecute Regulatory offences.

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Practice areas:

Business Crime & Financial Regulation
Civil Law
Criminal Law
Regulatory

Professional appointments:

CPS Level 3
Gray's Inn

NOTABLE CASES

Murder & Manslaughter

R v Nolan & Nash - Preston Crown Court - Instructed with David McLachlan QC to prosecute the parents of an 9 day old baby who had been unlawfully killed. The prosecution could not prove which parent was responsible for causing the numerous injuries inflicted on the baby over the course of her short life. Both parents were convicted of causing or allowing the serious injury and death of the baby after a trial.

R v Green – Manchester Crown Court – Led by Andrew Thomas QC in a 2-week murder trial in which the defendant was acquitted of setting her partner alight and remaining at the scene whilst he burned to death. Issues of bad character, circumstantial and scientific evidence.

R v Hurrell – Preston Crown Court – Led by Paul Reid QC in a 4 week murder trial involving issues of participation in a joint enterprise when the deceased was tortured and ill-treated prior to murder, concealing his body in suitcase. Cut throat defence.

R v Fitzgerald – Manchester Crown Court – Led by Paul Reid QC. Defendant indicted for a joint enterprise murder. Trial cracked after 10 day voir dire. Issue of admissibility of evidence from reluctant witnesses.

Conspiracy

R v Hanson – Caernarfon Crown Court – Successfully defended a woman of good character charged with conspiracy to supply class A and B drugs as part of Operation Yonside, a large scale drug trafficking operation linking Manchester/Liverpool criminals to the supply of drugs in North Wales.

<http://www.dailypost.co.uk/news/north-wales-news/accused-north-wales-drug-trial-8812973>

R v Riley – Manchester Crown Court – Defended the only defendant to run a trial in a multi-handed conspiracy to commit armed robberies and burglary. Resulted in acquittal. Issue of inferences at trial from silence in both interview and at trial where prosecution were put to proof.

R v Raja – Bradford Crown Court – Instructed to defend in a multi-handed conspiracy to rape. The offence was described by the judge in his sentencing remarks as "This was totally despicable, it was utterly callous, it was a degree of inhuman behaviour hard, even for one such as myself injured to evil, to understand."
(<http://www.dailymail.co.uk/news/article-2844528/Taxi-driverthree-friends-sentenced-total-68-years-gang-rape-drunkwoman-passenger.html>)

Sexual Offences

R v H – A sensitive and challenging case of historic sexual abuse of defendant's natural daughter. Particular care required to cross-examine the complainant who had threatened to commit suicide in the days before the trial and attempted to take her own life at the conclusion of her evidence.

R v Wardle – Prosecution of alleged historical and recent complaints of rape and sexual abuse of multiple complainants aged between 10 and 25 years.

Violence

R v A & H (Operation Brimley). Acquittal secured for a mother accused of causing grievous bodily harm to her child and failing to protect her child from serious injury. This was a legally complex and ethically challenging case where catastrophic brain injuries had been caused to a 2 year old child. Instructed by Morgan, Brown and Company to defend the child's mother running a cut-throat defence against her husband. The male defendant was found guilty of s18 assault.

R v Tulloch, Abbott and Beasley – Successful prosecution for offences of wounding with intent to cause GBH and assisting an offender. One defendant pleaded guilty and the convictions of the other two were secured after trial. Case involved an attack by two males using multiple weapons including a machete and a clean-up operation at the scene. Issue of dangerousness considered at sentence.

Drugs

R v F – Successful prosecution of a defendant who imported 3.82kgs of crack cocaine at 75% purity with a street value of £382,000.

Youths

Shirlie has a particular interest in dealing with Youths at the Crown Court. Assisted by her past practice in the Youth Court she is well placed to assist Judges who may be unfamiliar with the labyrinthine provisions that concern young offenders and recognise the different approach to sentencing that must be adopted in their cases. For example:

R v H – A 14-year old had been committed for sentence after trial in the Youth Court and had turned 15 by the date of sentence. He was sentenced for offences of wounding with intent, attempted wounding and affray. Issues had to be addressed in skeleton arguments and oral submission due to their complexity. Issues included dangerousness, the definition of Persistent Young Offender (PYO), the availability of a DTO for a non-PYO and s91 sentences.

Mentally Disordered Offenders

R v Corr – Defended an 18 year old suffering from autism running a cut-throat defence against his mother. Alleged s18 assault involving false imprisonment and torture. Issues of participation in a joint enterprise and bad character. Resulted in acquittal

R v Carr – Manchester Crown Court – Represented a mentally disordered offender who was unfit to stand trial due to learning disabilities. It was found that he had committed the actus reus of outraging public decency but representations accepted by the Crown that the actus reus of a separate sexual assault was not made out. Previously represented the same defendant in March 2008 when an Indictment alleging robbery was stayed.

Reported Cases

R v Hopkins [2008] EWCA Crim 2971 – Successful appeal against sentence in Court of Appeal for death by dangerous driving. Cited in “Banks on Sentence”.

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R v L [2006] EWCA Crim 2988 – Litigator at first instance in a case that later went to the Court of Appeal for successful appeal against conviction concerning a misdirection on bad character. R v Craven [2001] 2 Cr.App.R12, Crim LR 464 – First CCRC referral to Court of Appeal. Featured on “Rough Justice”. Unsuccessful appeal against conviction for murder. Issue of non-disclosure of fingerprint evidence. Litigator assisting Patrick Cosgrove QC and Henry Blaxland QC.

Other

R v A & H (Operation Brimley) – Acquittal secured for a mother accused of causing grievous bodily harm to her child and failing to protect her child from serious injury. This was a legally complex and ethically challenging case where catastrophic brain injuries had been caused to a 2 year old child. Instructed by Morgan, Brown and Company to defend the child’s mother running a cut-throat defence against her husband. The male defendant was found guilty of s18 assault •

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