



# Karen Walton

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Karen Walton's practice focuses on sexual offences and other serious crime. She is consistently instructed in cases of homicide, sexual offences and gang related violence; many of her cases involve highly vulnerable witnesses and complex medical evidence.

She is presently instructed in two homicide cases; one case of matricide and another a joint enterprise murder, where a young man was stabbed.

Karen is regularly instructed in cases of serious assault, child neglect and kidnap. In the past few years there has been an increase in drug related violence involving offences of torture and kidnap. These cases have issues of disclosure, social media accounts, phone downloads and background bad character evidence.

She has been instructed in a diverse range of horrifying sexual offence cases with victims as young as babies up to a complainant in her nineties and has extensive experience in sensitive cases involving very young complainants, cross examining children as young as 3yrs. Karen is particularly known for her ability and sensitivity in dealing with defendants that have significant educational disabilities and /or mental health impairments. A significant proportion of her cases involve defendants with comorbid mental health issues. This has given her a particular expertise in calling and cross-examining experienced psychiatrists and psychologists and tackling the challenges of effective trial participation by vulnerable defendants.

Karen is also rated for her legal ability and is often instructed in cases involving difficult or novel points of law; such as arguments about entrapment in so called "paedophile hunter" cases; or arguments about the admissibility of covert recording material in murder cases.

Karen has been instructed in child cruelty cases, causing a child to suffer serious harm [s.5 DVCA 2004], and s.18 offences that have required cross examination of medical experts from different disciplines. She is currently instructed in a case where the child [6 months] has presented with subdural haemorrhages on both sides of the head and bony injuries, complicated by the child's condition on birth.

## Expertise

## Murder & Manslaughter

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Karen is instructed as junior counsel in cases of murder and manslaughter. She is instructed in cases involving young defendants, gang related crime and have a particular interest in mental health issues in this area when sentencing murder/manslaughter offences.

### Notable Murder & Manslaughter cases

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#### Currently instructed in a murder case:

The defendant with complex cognitive issues, charged with the murder of his wife and dismembering the deceased. Issues on the cause of death and defences arising from the assessment of the cognitive presentation of the defendant.

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#### R v J [2023]

Junior to Allison Summers KC in a case where a 16 year old mother was charged with the murder of her 5 day old baby as a result of acute paracetamol poisoning. Complex case arising from the lack of agreement between the pathologists, toxicologists and paediatric experts in the case on the issue of cause of death. No known case of acute paracetamol poisoning in a baby.

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#### R v J (2022) D1

Joint Enterprise allegation where the defendants are running cutthroat defences. Cell site material, covert recording material requiring arguments on admissibility and expert evidence. The police in this case authorised covert recordings in the prison transport for some of the defendants. This has required consideration of the admissibility of such material and the instruction of audio experts for D1.

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#### R v D (2022) Matricide

The defendant inflicted multiple stab wounds to the chest area of his mother believing she was possessed by the devil and needed cleansing. This case has involved the instruction of 4 experts on the issue of insanity/ Diminished Responsibility, with a possible issue of drug induced intoxication. Experts have not agreed on the issue diagnosis of the defendant's mental health. Sensitivity on the issues at trial and final disposal have been complex.

## Modern Slavery

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Karen has represented numerous defendants who have raised issues under the national referral mechanism.

Karen was counsel in the first case in the Crown Court following the modern slavery law coming into force in 2012 [R v Connors]. She represented the female defendant as junior lead counsel. The defendants appealed conviction on grounds that a juror was intimidating the other jurors and exhibited racism towards the defendants. The appeal was heard by the full court in 2012 and considered sentencing in this new area of law.

## Sexual Offences

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Karen is a vulnerable witness trainer for Middle Temple education / training programme. All practitioners in England and Wales must complete an accredited vulnerable witness training course.

I am part of chambers' seminar provider practitioner group for this area of law.

### Notable Sexual Offences cases

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#### **R v Laxton. Southwark Crown Court [2023]**

Represented ex- Met officer. This was a case that was first investigated by Lincolnshire Police and then became part of a larger investigation by the MPF. The case did not go to trial and the sentence was before Mr Justice Wall.

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#### **R v S (2021)[Youth Court] s.6 Sexual Offences Act 2003. [assault by penetration of a child under 13]**

5 years old defendant and uncle to the complainant who was 4 years old at time of allegation. The defendant, diagnosed with autism and the complainant had an educational age 1.5yrs below her birthdate. This case is an example of the danger of trying serious sexual cases in the youth court. The complainant had been interviewed after some delay and having had the opportunity to speak to numerous people. Furthermore, the initial complaint had been made to an inexperienced police officer. The defence instructed an expert to assess the reliability of the complainant. The youth court environment meant the young defendant was in close proximity to his brother [father to the complainant] and the mother when they were being cross examined. This was very stressful to the defendant.

Submissions on the competence of the complainant/s.78 argument on the admissibility of the ABE evidence resulted in the case being dismissed after the prosecution case. DNA expert was instructed in this case.

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#### **R v T (2020) Allegations of Assault by penetration x 2 and sexual assault x 6 of a child under 13yrs [9-10yrs] by her stepfather.**

The allegations were said to have happened in the child's home, in her bedroom for over a year [2018-2019]. The prosecution case was that the defendant groomed the child following the start of his relationship with the mother. The first complaint was made to the child's mother who contacted the NSPCC and then the police. The defendant is of good character. All parties gave evidence in the trial, the child via video link at court. This should have been a protocol case, but for administrative reasons was not.

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#### **R v G. (2022) Sexual assault upon an elderly woman [73 yrs.]**

by a defendant who was a resident in a secure unit, under s.3 Mental Health Act. The defendant had been on agreed unescorted leave from the Unit. During his release the defendant had a psychotic episode triggered by the use of alcohol and cannabis. The case has required the instruction of two experts for the defence and a further court ordered expert to assess fitness to plead and disposal. The case has required managing expectations of the defendant's parents who have been tried to support their son's deteriorating mental health in addition to advising the defendant of the likely disposal. The experts, in this case, have not agreed with the diagnosis and therefore the disposal will in all likelihood be a custodial sentence.

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## R v H (2020)

Sexual assault upon a 94 yr old complainant in her home by a 53yr old Ablanian who had befriended her and offered to look after her garden. Due to issues with the special measures procedures, the complainant was XX in court behind a screen. Issues of competency and extra sensitivity on photos taken of the injuries being shown to the jury and complainant [causation of the bruising in issue].

## Historic Sexual Offences

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### Notable Historic Sexual Offences cases

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## R v F (2020)

The defendant worked for The Royal British Legion as a claims assessor. This role involved going to vulnerable people's houses to carry out the initial assessment for claims for assistance from TRBL. Furniss preyed on women, recently bereaved or where their husbands that had become disabled following service, sexually assaulting them in their homes. The indictment period was between 2013-2017 and numerous women came forward following a press release, after a complaint was made in 2017.

The most serious allegation was assault by penetration. There were s.41 issues for two of complainants on the indictment.

## Gangs & Organised Crime Groups

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Karen is frequently instructed in large drug supply operations and have also been instructed in gang related firearms and violent offences gang related crimes. She has therefore used experts in this area; cell site evidence, gang culture and drill music and admissibility of such evidence and firearms experts.

R v Hashid. [2019] EWCA (Crim) 2018.

### Notable Gangs & Organised Crime Groups cases

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## Operation Radar (2020)

is an investigation into a conspiracy to supply and distribute high purity class A controlled drugs, namely Cocaine and Heroin, into the Lincolnshire area from South Yorkshire and Essex. Evidence has been gathered using covert observations, ANPR, Telecoms Data, handset/SIM downloads, CCTV and Forensics. This has identified two separate conspiracies to supply class A controlled drugs, one involving South Yorkshire and one involving Essex.

The conspiracy period spans from 1st January 2017 to 28th June 2018 and a total of 23 persons have been charged, some with either the Sheffield or Essex conspiracy and some with both.

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## R v H (2020/2022) s.18

kidnap case, drug related gang attack on a vulnerable victim. The defendant involved in two unrelated violent attacks on vulnerable victims, where the attacks are filmed and distributed on snapchat to warn people involved in stealing drugs from the dealers.

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## R v R (2018)

firearms case, drill music admissibility on the issue of propensity to be involved in gang related violence and gun crime.

## Firearms

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Karen has particular experience in the law relating to firearms, including possession, armed robbery and murder using a firearm.

### Notable Firearms cases

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#### R v W (2022) s.16 Firearms, threat to kill case

The allegations arise from a relationship during which the complainant has alleged threats, violence and the use of a rifle, by discharging the rifle towards the complainant. Firearms experts instructed on the issue of whether the rifle is capable of being a lethal weapon.

## Memberships

- Middle Temple
- CBA
- Justice
- Women In Criminal Law

## Awards





**Karen Walton**

