

## Ben Rich

"Operates in a very skilled manner and demonstrates a great deal of ability."  
Chambers UK 2018



Year of Call: 2010

020 7353 5324

Ben Rich is ranked as an up-and-coming individual in the Professional Discipline field by Chambers UK 2017.

Ben came to Chambers in September 2010 and was invited to become a member in April 2012, following the successful completion of his pupillage. He now appears in the Court of Appeal, High Court, Crown Court and Magistrates' Courts. He also practises in Professional Discipline, Health and Safety and inquests.

Before being called to the Bar, Ben had a substantial career as a radio and television journalist at the BBC. He worked for six years as an editor on BBC2's Newsnight, and ended up as Deputy Editor of the Six and Ten O'clock News on BBC1. In 2003 he won two awards for 'Blair on Iraq: A Newsnight Special': a one hour programme on BBC2 in which the then Prime Minister faced an audience opposed to the conflict shortly before the fighting began.

Ben accepts **Direct Access** instructions.

## What Others Say:

"Operates in a very skilled manner and demonstrates a great deal of ability." – Chambers UK 2018

"Professional and pragmatic, with thorough questioning of witnesses." – Chambers UK 2018

"Thorough, knowledgeable and great at keeping his clients informed." – Chambers UK 2017

"Ben is a very calm, wise lawyer who has a proven track record of allaying the fears of clients, enabling them to engage in proceedings effectively." – Chambers UK 2017

### Location

2 Hare Court  
Temple  
London  
EC4Y 7BH

### Contact Us

T: +44 (0)20 7353 5324  
F: +44 (0)20 7353 0667  
E: [clerks@2harecourt.com](mailto:clerks@2harecourt.com)  
DX: LDE 444 Chancery Lane

# Business Crime & Financial Services

---

Ben has experience of high-value, complex fraud and other white collar work. He recently represented a company director accused of 14 counts of fraud and unfair trading. He represented another sole trader and negotiated the basis of plea in a £1m motor vehicle fraud. He previously undertook 10 months' work on a major land-banking fraud being prosecuted by the Financial Conduct Authority.

## Cases

### **R v Home & Motor Club Ltd & David Mellen**

Defendant director was acquitted of 14 charges of fraud and unfair trading after a submission of no case to answer.

### **R v Paul Moyse [2015] EWCA Crim 231**

Negotiated a favourable basis of plea in this £1m car sales fraud. Then successfully appealed the sentence of ten years down to seven years in the Court of Appeal.

# Criminal Defence

---

Ben is regularly instructed to in cases including s18 GBH with intent, robbery, blackmail, sexual assault, perverting the course of justice, violence, dishonesty, drugs and traffic violations. He represents people facing confiscation proceedings and restrictive orders (including Sexual Offences Prevention Orders and Football Banning Orders).

He undertakes judicial review of the decisions of Magistrates' Courts. He successfully represented a defendant whose case had been adjourned at the request of the prosecution (see below) and one who had been refused an adjournment to get expert evidence in a drink driving case [R (Hughes) v Macclesfield Magistrates' Court [2013] EWHC 3993 (Admin)].

## Cases

### **Isle of Wight Council v Platt 2017**

Conducted the resumed prosecution, as ordered by the Supreme Court, of a father who had been acquitted of a school attendance offence after he took his daughter to Disneyland in term time. He was convicted.

### **R (Jenkins) v Hammersmith Magistrates' Court [2015] EWHC 3961 (Admin)**

A rare interlocutory Judicial Review which quashed the decision of the magistrates to grant the prosecution an adjournment, and directed the acquittal of the defendant on a charge of drink driving.

### **R v Tristian Narine [2012] EWCA Crim 1991**

The Court of Appeal reduced a 4 year disqualification for dangerous driving to 2 years.

---

## Location

2 Hare Court  
Temple  
London  
EC4Y 7BH

## Contact Us

T: +44 (0)20 7353 5324  
F: +44 (0)20 7353 0667  
E: [clerks@2harecourt.com](mailto:clerks@2harecourt.com)  
DX: LDE 444 Chancery Lane

## R v Zeki Kose

Secured the acquittal of a man accused of historic sexual assault on his step-daughter.

## R v Tahir Ibrahim

The Crown abandoned this case of perverting the course of justice and assault at the end of nearly four hours of cross-examination of the complainant.

## Public Prosecution

---

Ben is developing his criminal prosecuting practice. He represented the Crown in a trial of violent disorder and theft after the 2011 riots. He is currently instructed by the CPS in a number of Crown Court trials.

## Criminal Regulatory

---

Ben is developing his practice in health and safety. In 2016-2017 Ben spent over a year instructed in a complex health and safety case involving two sets of charges for separate incidents. After obtaining a number of expert reports on fire and gas safety and making sustained representations one case was dropped entirely. The second was the subject of a guilty plea on a detailed basis after which the company, with a turnover of nearly £200 million, was fined in the tens of thousands.

He has also been instructed in other criminal regulatory matters including unfair trading and school attendance.

## Inquests & Public Inquiries

---

Ben is instructed in inquests, particularly on behalf of medical staff. He represented a doctor who visited the home of woman with mental health problems after she called NHS Direct. She had committed suicide. The events involving the doctor, who had been accused of not making sufficient efforts to get into her house, were not the subject of criticism in the coroner's findings.

## Professional Discipline

---

Ben Rich is ranked as an up-and-coming individual in the Professional Discipline field by Chambers UK 2017.

He frequently defends nurses before the Nursing and Midwifery Council, and other healthcare professionals before their regulators. Recent cases included charges of clinical incompetence (48 allegations), sexual assault of a patient, dishonesty and falsifying medical records. He has appeared in the General Dental Council both for and against registrants, and in the General Medical Council. He has presented cases against teachers for the National College of Teaching and Learning, and acts for the Association of Certified and Chartered Accountants.

---

### Location

2 Hare Court  
Temple  
London  
EC4Y 7BH

### Contact Us

T: +44 (0)20 7353 5324  
F: +44 (0)20 7353 0667  
E: [clerks@2harecourt.com](mailto:clerks@2harecourt.com)  
DX: LDE 444 Chancery Lane

Ben has appeared in the High Court on behalf of a registrant and has advised on High Court appeals and judicial review for healthcare professionals.

## Cases

### **NMC v DW**

Ben represented the nurse accused of falsifying the temperature of a colleague who was later hospitalised with the Ebola virus. She received a two-month suspension.

### **NMC v MM**

Secured a Conditions of Practice order for this nurse who admitted over 40 incompetence allegations and lying to a patient

### **NMC v PK**

Represented this nurse accused of clinical failings and two counts of dishonesty. One was admitted and the other not proved. He was suspended.

## Accreditations

---



## Appointments & Memberships

---

- Grade 2 CPS Prosecutor
- Criminal Bar Association
- Association of Regulatory & Disciplinary Lawyers

### Location

---

2 Hare Court  
Temple  
London  
EC4Y 7BH

### Contact Us

---

T: +44 (0)20 7353 5324  
F: +44 (0)20 7353 0667  
E: [clerks@2harecourt.com](mailto:clerks@2harecourt.com)  
DX: LDE 444 Chancery Lane