

# Joey Kwong

Junior Counsel - Above 15 Years

CALLED 2005



**Joey is regularly instructed to prosecute and defend multi-handed conspiracies, frauds, confiscation and asset recovery proceedings, serious violence, sexual offences, and cases involving psychiatric experts.**

Joey is an appointed member of the CPS Advocate Panel for General Crime and RASSO at Level 4, CPS Specialist Panel for Serious Crime at Level 4, CPS Specialist Panels for Fraud and Proceeds of Crime at Level 3, and the Serious Fraud Office Panel B.

Originally from Hong Kong and fluent in Cantonese Chinese, Joey studied Law at the University of Cambridge and is a Jules Worth and Benefactors Scholar and a Harmsworth Scholar of the Middle Temple.

Joey is passionate about social mobility and access to the independent Bar.

## Notable Cases

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## Bribery and Corruption

### **R v LW, 2023**

Joey was instructed by the Court of Appeal Registrar's office to defend client against an Attorney General's reference. The client was convicted after trial of a Conspiracy to Perverting Course of Public Justice, where Mr Walker was found to have attempted to corrupt a juror of a trial relating to multi-kilogram class A and class B drug supply and possession of a prohibited weapon.

The Attorney-General referred the client's sentence of 8 months' imprisonment to the Court of Appeal for undue leniency. The reference referred to two authorities whereby sentences of 12 years' imprisonment and 22 years' imprisonment were upheld. The Attorney-General submitted that Mr Walker's sentence "should have been significantly longer than they were".

After Joey's oral submissions, the Court of Appeal dismissed the reference, and the client retained his liberty.

Court of Appeal

Read more [here](#)

[Bribery and Corruption](#)

## Confiscation and Restraint

### **R v TA, 2023**

Joey defended confiscation proceedings on behalf of a client who was convicted and sentenced as having leading role in the supply of ketamine and cannabis. The Crown sought a benefit figure of over £660,000, and an available amount of over £350,000. After protracted negotiations on the day of the contested confiscation hearing, the Crown reduced their benefit figure to £270,000, with a recoverable amount of £185,000. This included judge declaring it would be unjust under section 7 to declare the full available amount to be the recoverable amount.

Bristol Crown Court

### **R v A, 2021**

Joey defended a client in an application for civil cash forfeiture under section 298 POCA 2002. The client kept £150,000 cash in a suitcase in a secured storage unit. HMRC applied to seize this cash, alleging the money was intended for money laundering. After cross-examination of the HMRC officer

and accountant, a successful half time submission was made. The cash was returned to the client without the client giving evidence.

Nottingham Magistrates' Court

### **R v T, 2019**

Joey prosecuted a contested confiscation hearing where his legal submissions were accepted by the Crown Court judge.

Subsequently, the defendant appealed against his confiscation order to the Court of Appeal. Counsel drafted a response to the appeal notice, which resulted in leave to appeal being refused.

Leicester Crown Court

### **R v K, 2019**

Joey defended client in confiscation proceedings. The client and her 5 sons were convicted of offences under the Misuse of Drugs Act. The Prosecution sought a confiscation order with a benefit figure of £164,000. Joey identified a flaw in the Crown argument which led to the Crown accepting a reduced benefit figure of £55,000 for the client.

Leicester Crown Court

### [Confiscation and Restraint](#)

Driving

### **R v MMM, 2024**

Joey defended a privately paying client charged with Causing Serious Injury by Dangerous Driving. The client pleaded guilty, with his sentence of imprisonment suspended with no conditions.

Caernarfon Crown Court

### **R v FA, 2020**

Joey prosecuted defendant charged with causing serious injury by dangerous driving and perverting the course of justice. The defendant hit her father-in-law because she was distracted by her mobile phone. She told a series of lies and deleted 32 incriminating text messages. Joey provided multiple advices on evidence, which included multiple CCTV footages, phone expert evidence and medical

evidence. Once that material was served, the defendant pleaded guilty and was sentenced to 18 months' custody in spite of her good character.

Leicester Crown Court

News report [here](#)

## **R v PD, 2016**

Joey represented appellant in the Court of Criminal Appeal and obtained a reduction in sentence for causing serious injury by dangerous driving from 2 years' imprisonment to 4 months, resulting in the client's immediate release.

Court of Appeal

[Driving](#)

Drugs

## **R v KB, 2023**

Joey defended client charged with Possession with intent to supply Class A drugs.

A plastic bag containing multiple wraps of cocaine was recovered in client's garden. His fingerprint was found on the plastic bag. In interview, Mr Baker confessed to "holding" the drugs for another.

Joey advised on both a psychiatric report diagnosing the client with intellectual impairment, ADHD, anxiety, and depression, and on forensic report show fingerprints can remain on a plastic bag for up to 7 years.

Joey lodged an application to exclude the client's confession in interview.

As a result, the Crown offered no evidence.

Leicester Crown Court

## **R v L, M, H, AK, S, and U, 2023**

This is a 6 handed conspiracy to supply class A drugs, where the Organised Crime Group supplied drugs for six months using two county lines.

The evidence consisted of extensive mobile phone evidence, text messages, cell site evidence, and CCTV evidence.

3 defendants submitted bases of plea limiting their roles.

Overnight, Joey drafted a detailed 24 page sentencing note, addressing role of the parties, with schedules of messages as evidence.

As a result, all 3 defendants withdrew their bases, with the judge passing sentences ranging up to 10 years' imprisonment.

Kingston Crown Court

## Drugs

### Financial Crime

#### **R v KB, 2023**

Joey prosecuted insurance fraud of valued over £200,000. The defendant was convicted after trial of abusing his position as a trustee of insurance pay-out, which he held on trust for his two vulnerable step-children. For two days, Joey cross-examined the defendant on insurance documents and correspondence, his bank accounts which he cross-referenced with his social media accounts to establish a pattern of overspending. The defendant was convicted, and sentenced to 4 years' imprisonment.

Northampton Crown Court

#### **R v MA, 2023**

Joey prosecuted tax fraud valued over £150,000. The defendant ran a takeaway as a sole trader, but suppressed his earnings through various means, thus avoiding both VAT registration and income tax. Joey advised on expert accountant evidence, leading to Mr Ali pleading guilty and sentenced to two and a half years' imprisonment.

Leicester Crown Court

#### **R v NF, 2021**

Joey prosecuted an NHS nurse who committed fraud upon her employer. Called 12 out of 14 NHS witnesses via CVP from different Crown Courts. The defendant was convicted after trial, with the

judge commenting that the manner with which the trial was conducted by both the prosecution and the defence was "a model of its time".

Ms F appealed her conviction to the Court of Appeal. Joey appeared on behalf of the Crown, and Ms F's appeal was rejected.

Nottingham Crown Court

Court of Appeal

## **R v SN, 2021**

Joey prosecuted defendant for commercial fraud of nearly half a million pounds. Counsel provided early advice at two conferences, where he identified two additional counts of fraud from bank statements and advised on key additional evidence. The additional materials resulted in the defendant pleading guilty and he was sentenced to 3 years 7 months' imprisonment in spite of his good character.

Lincoln Crown Court

News report [here](#)

## **R v DB, 2019**

Joey prosecuted defendant charged with fraud and transferring criminal property. The defendant defrauded multiple victims by setting up an online gambling business purporting to be licensed by the Gambling Commission. The defendant pleaded guilty on the day of trial and was sentenced to 35 months' imprisonment.

Derby Crown Court

## **R v DS, 2016**

Joey prosecuted the defendant for VAT fraud of £184,000 worth of expenses. Joey cross-examined Mr Swift on his expenses, his 9 different bank accounts and caught him out in various lies. Mr Swift was convicted and a confiscation order was made. All money owed to HMRC was recouped.

Leicester Crown Court

[Financial Crime](#)

### **R v LW and AV, 2023**

Joey prosecuted two defendants, whereby one handed to another a bag in public containing over £20,000 worth of cocaine, together with a black handgun. The Crown evidence included expert evidence on whether the firearm, in its converted state, were capable of firing so as to satisfy the definition of a firearm under section 57 of the Firearms Act 1968.

Canterbury Crown Court

### **R v KS, 2022**

Joey defended a Thai client charged with attempted section 18 and possession of an imitation firearm with intent to cause fear of violence. She was caught on CCTV to attempt to stab her ex-partner, and on a separate occasion shoot at him with an imitation firearm. She was found to be fit to plead by a psychiatrist. Joey queried this diagnosis, and advised on a second opinion. The client was ultimately found unfit to plead. In spite of having no instructions, Joey vigorously cross-examined the complainant during the fact find hearing. This led to the client being acquitted on both counts during the Fact Find hearing.

Leicester Crown Court

### **R v AL, 2016**

Joey represented defendant charged with possession of a firearm with intent to cause fear of violence. Three Crown witnesses saw the defendant with a shotgun in a public house car park. The police found a matching shotgun in his house. Cross-examined the three Crown witnesses on their credibility which led to the defendant's acquittal.

Derby Crown Court

## [Firearms](#)

## General Crime

### **R v AP and JT, 2023**

Joey prosecuted two defendants for joint enterprise assisting unlawful immigration offences. Joey gave early advice on bad character evidence to be presented against defendant AP. In his opening speech to the jury, Joey presented the evidence for the Crown, including said bad character evidence.

After Joey's speech, the defendant knocked on the dock window, and changed her plea to guilty.

Hove Crown Court

### **R v MF, 2023**

Joey defended client in a re-trial for Conspiracy to assist unlawful immigration, where the co-conspirators were convicted. Joey was instructed after original trial counsel was unavailable. The Crown evidence consisted of telephone evidence and CCTV evidence. Joey noted a gap in the Crown case, and cross-examined the police expert at length. Joey made a half-time submission, which was accepted by the judge, resulting in the client's acquittal.

Canterbury Crown Court

### **R v BC, DH, JM, and DO, 2023**

Joey defended a 4-week trial of Conspiracy to burgle 54 dwellings and armed robbery.

The Crown evidence consisted of cell site data, CCTV, clothing, phone attribution, social media usage, and forensic imagery analyst expert.

Joey forensically took the Crown to task on every point. Joey successfully applied to exclude the Crown forensic imagery analyst expert. Joey's utilised his expertise of cell site to identify mistakes made by the Crown expert, and to cross-examine the Crown cell site expert on Radio Frequency Survey.

The client was convicted of conspiracy to burgle, but acquitted of armed robbery.

Birmingham Crown Court

### **[Crime](#)**

### **Military**

### **R v TB, 2024**

Joey, led by [Justin Hugheston-Roberts](#), defended a former service man, charged with 11 counts of rape, threats to kill with a knife, inflicting grievous bodily harm, and other offences against his ex-partner of two years.

Even though at the time of his trial he was a civilian, he was serving in the Royal Air Force at the time



of charge, so he was tried at a Court Martial sitting in Catterick Garrison North Yorkshire

The Crown evidence consisted of the complainant, over 8 witnesses of corroboration, audio recordings of the assaults, extensive mobile phone evidence, and medical expert evidence on causation.

In spite of the early and repeated defence requests for mobile phone downloads, the Crown disclosed 8000 pages of mobile phone messages on day 3 of the Court Martial.

Justin and Joey forensically analysed the materials over the weekend, producing a 160 page schedule of messages, upon which the complainant was cross-examined over 3 days.

The Crown witnesses and medical expert were similarly cross-examined in a trial that took some four weeks.

As a result, the Board disbelieved the complainant and acquitted the client of all counts of rape, threats to kill, and inflicting grievous bodily harm and accessing personal records on a computer.

The client was convicted of three lesser offences which were evidenced on the audio recordings, and received a suspended sentence of imprisonment.

Court Martial at Catterick

## **R v TB, 2023**

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In the circumstances, Justin and Joey submitted that Mr B should therefore be tried by a civilian Board.

In a preliminary ruling, the Judge Advocate in a Court Martial ruled he did not have the power to determine the constitution of the Board, this being a matter for the Court Administration Officer, who had already determined this should be a service Board.

Justin and Joey appealed against this ruling, with the Secretary of State intervening in the appeal. After hearing full written and oral arguments, the Court Martial Appeal Court agreed it was indeed

the Judge Advocate who has the power to determine the constitution of the Board. The Court Martial Appeal Court further clarified the law on when an ex-Serviceman is entitled to be tried by a civilian Board.

Court Martial Appeals Court

[Link to judgment](#)

[Military](#)

Murder and Manslaughter

### **R v AH, 2023**

Joey defended Fact find of an Attempted Murder. After not sleeping for three days, the client chased his father down the street, and repeatedly stabbed him in the neck.

The evidence consisted of CCTV footages showing the stabbing and the evidence of the father. The client was caught at the scene. The client refused to engage or give instructions.

At the finding of the act hearing, Joey robustly tested the evidence, including cross-examining the father on his own psychiatric ideation.

Joey further advised on psychiatric reports to ensure the client received the help he needs, including resisting a section 45A hybrid order.

Leicester Crown Court

Read more on [Leicestershire News](#)

### **R v LCL, 2021**

Joey prosecuted a defendant for Arson with intent to endanger life. The defendant set fire to a caravan belonging to his ex-partner, which spread to two neighbouring caravans, where adults and four children were sleeping. Joey cross-examined the defendant on messages he sent his ex-partner, leading to him being convicted and sentenced to 15 years' imprisonment.

Leicester Crown Court

Read more on:

- [BBC News](#)
- [Leicester Mercury](#)

### [Murder and Manslaughter](#)

## Psychiatric Experts

### **R v KB, 2023**

Joey defended client charged with Possession with intent to supply Class A drugs.

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Joey advised on both a psychiatric report diagnosing the client with intellectual impairment, ADHD, anxiety, and depression, and on forensic report show fingerprints can remain on a plastic bag for up to 7 years.

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Leicester Crown Court

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Leicester Crown Court

Read more on [Leicestershire News](#)

## **R v KS, 2022**

Joey defended a Thai client charged with attempted section 18 and possession of an imitation firearm with intent to cause fear of violence. She was caught on CCTV to attempt to stab her ex-partner, and on a separate occasion shoot at him with an imitation firearm. She was found to be fit to plead by a psychiatrist. Joey queried this diagnosis, and advised on a second opinion. The client was ultimately found unfit to plead. In spite of having no instructions, Joey vigorously cross-examined the complainant during the fact find hearing. This led to the client being acquitted on both counts during the Fact Find hearing.

Leicester Crown Court

## **R v SC, 2018**

Joey defended client charged with a section 18 offence. The client wounded the victim with two kitchen knives and a bottle in the presence of children at a nearby primary school. Joey advised on obtaining a psychiatric report for the client which led to the Crown accepting a reduced plea to a section 20 and the judge suspending her term of imprisonment.

Lincoln Crown Court

## Rape and Sexual Offences

### **R v TB, 2024**

Joey, led by [Justin Hugheston-Roberts](#), defended the client who was former service man was charged with 11 counts of rape, threats to kill with a knife, inflicting grievous bodily harm, and other offences against his ex-partner of two years.

Even though at the time of his trial he was a civilian he was serving in the Royal Air Force at the time of charge so he was tried at a Court Martial sitting in Catterick Garrison North Yorkshire.

The Crown evidence consisted of the complainant, over 8 witnesses of corroboration, audio recordings of the assaults, extensive mobile phone evidence, and medical expert evidence on causation.

In spite of the early and repeated defence requests for mobile phone downloads, the Crown disclosed 8000 pages of mobile phone messages on day 3 of the Court Martial.

The defence team analysed the materials within a week, producing a 160 page schedule of messages,

upon which the complainant was cross-examined over 3 days.

The trial took some four weeks, where the defence team further forensically cross-examined the Crown witnesses and medical expert.

As a result, the board disbelieved the complainant and acquitted the client of all counts of rape, threats to kill, and inflicting grievous bodily harm and accessing personal records on a computer.

The client was convicted of three lesser offences as evidenced on the audio recordings, and received a suspended sentence of imprisonment.

Court Martial at Catterick

### **R v SW, 2024**

Joey defended a client charged with sexual assault. The client was inebriated and was seen by witnesses to approach several women in a bar and touching them in intimate areas of their bodies. The client was a school teacher of good character, who faced to lose his job should he be convicted. Joey negotiated with the Crown to accept a common assault. The client was sentenced to a conditional discharge, and he avoided being placed on the sex offenders' register.

Leicester Crown Court

### **R v JK, 2023**

Joey defended client charged with Rape, Controlling or Coercive behaviour, and ABH.

Joey drafted a detailed defence statement which attacked credibility of the complainant, and further reviewed client's extensive phone evidence.

Joey strenuously negotiated with Crown, leading to Crown not proceeding on the rape and ABH. The client pleaded guilty to controlling or coercive behaviour, with Joey drafting a favourable basis of plea which set out the credibility issues of the complainant.

This basis was subsequently rejected by the Crown, but upon hearing submissions, the trial judge considered it did not make a difference to sentence.

Warwick Crown Court

### **R v TC, 2022**

Joey defended client charged with Attempted rape. The client was alleged to have attempted to rape his adult stepdaughter in the matrimonial home. She reported this incident immediately after the incident.

Joey forensically analysed over two thousand pages of medical records, social services records, telephone records, and compiled a schedule of materials which undermined the credibility of the complainant.

After a successful section 41 / 100 application, Joey cross-examined the complainant. As a result, the jury returned verdicts of Not Guilty.

Wolverhampton Crown Court

### **R v AG, 2021**

Joey defended a client who was charged with multiple incidents of assault by penetration and sexual assault against a child under 13. After hearing Joey's mitigation, defendant was found not to be dangerous and sentenced to 7 years and 1 months' custody with 1 year extended sentence as an offender of particular concern.

The sentencing judge thanked both prosecution and defence counsel for their detailed sentencing note, and indicated he had marked the defendant as a dangerous offender until he heard submissions from defence counsel.

Leicester Crown Court

Read more [here](#) and [here](#)

### **R v D, 2021**

Joey defended client charged with exposure in front of his 14 year old step-daughter. Joey persuaded the Crown to accept a section 4 public order act offence, thus saving the client from being placed on the sex offenders register.

Leicester Crown Court

[Rape and Sexual Offences](#)

Violence

### **R v AT and LH, 2024**

Joey defended trial where client was charged with robbery and section 18, where victim was assaulted with a microwave and an iron to the head, causing serious brain damage. Mr Taylor was always willing to plead to a section 20.

Joey left no stone unturned and repeatedly made section 8 applications for disclosure. This resulted in the Crown applying to discharge the jury in order for further disclosure to be completed. Joey successfully applied for bail thereafter.

After further disclosure applications, 18 months after being charged, the Crown accepted Mr Taylor's plea to section 20.

Stafford Crown Court

### **R v KS, 2022**

Joey defended a Thai woman charged with attempted section 18 and possession of an imitation firearm with intent to cause fear of violence. She was caught on CCTV to attempt to stab her ex-partner, and on a separate occasion shoot at him with an imitation firearm. She was found to be fit to plead by a psychiatrist. Joey queried this diagnosis, and advised on a second opinion. The client was ultimately found unfit to plead. In spite of having no instructions, Joey vigorously cross-examined the complainant during the fact find hearing. This led to the client being acquitted on both counts during the Fact Find hearing.

Leicester Crown Court

### **R v SA, 2019**

Joey prosecuted defendant for harassment (putting people in fear of violence) and perverting the course of justice. He was a PCSO who harassed an ex-partner for two years. When caught, he attempted to manipulate cell site evidence to vindicate himself. He was convicted after trial and given a suspended sentence. Counsel drafted an advice on unduly lenient sentence. The Court of Appeal increased the sentence to 4 years 9 months' imprisonment.

Leicester Crown Court

News reports

- [Birmingham Mail](#)
- [BBC](#)

### **R v SC, 2018**

Joey defended client charged with a section 18 offence. The client wounded the victim with two kitchen knives and a bottle in the presence of children at a nearby primary school. Joey advised on obtaining a psychiatric report for the client which led to the Crown accepting a reduced plea to a section 20 and the judge suspending her term of imprisonment.

Lincoln Crown Court

[Violence](#)

## Achievements

### Memberships

- Midland Circuit
- Midland Circuit Social Mobility Committee
- Criminal Bar Association
- Fraud Lawyers Association

### Appointments

- CPS General Crime Panel (Grade 4)
- CPS Serious Crime Panel (Grade 4)
- CPS Rape Panel (Grade 4)
- CPS Fraud Panel (Grade 3)
- CPS Proceeds of Crime Panel (Grade 3)
- Serious Fraud Office (Fraud Panel B)

### Education

- BVC - Nottingham Law School
- MA - Cambridge University