

Simon Hunka

Call: 2007

"I would like to state at this point that our prosecuting Barrister, Simon Hunka of No5 Chambers in Birmingham, was superb and was a credit to have on board in what was an extremely complicated case with over one thousand pages of evidence originally. He certainly went into minute detail, and his cross examination of the defendants and their witness was brilliant, he countered everything they came up with and had definitely studied the case in exceptional detail in order to do so. I highly recommend him if the Council need a prosecuting Barrister for any other LA case at all - benefits, council tax, housing, planning, regulatory, anti-social behaviour etc - he is willing and able to cover all aspects of cases for LAs, in both Magistrates and Crown Court"

Beverley Graham, Benefits Investigations Officer, Melton Borough Council.



Simon Hunka is an experienced advocate specialising in the areas of Crime and Regulatory law.

Expertise

Crime

"In our judgment an offender can seldom have been better served by his counsel than is this young man by Mr Hunka."
– Lady Justice Rafferty in the Attorney-General's Reference No. 28 of 2016 [2016] EWCA Crim 1382

Simon is a highly regarded advocate who is known both for his persuasiveness and his sharp style of cross-examination. He has a personable and engaging manner with his clients which enables him to quickly build trust – he combines this with a strong approach in Court where he fights very hard to achieve the best possible result.

He is meticulous in his preparation and is highly persuasive when addressing both Judges and juries. He prides himself on having a "human" style of advocacy – his approach is neither patronizing nor condescending, rather it is engaging and sensitive to both the issues and the audience. As a result he is powerfully persuasive, simply because he presses the right buttons in the minds of his audience and makes them truly think about what he is saying.

He regularly attracts praise for making strong arguments on behalf of his clients, even when the odds are heavily stacked against him.

From the very start of his career he has appeared in the Crown Court and has quickly developed a wealth of experience. He has appeared as defence Counsel in a number of serious cases involving murder, serious sexual offences (including rape), assault (section 18 and 20), fraud, arson, serious drugs offences, death by dangerous driving and also confiscation proceedings. He has also appeared in the Court of Appeal where his written and oral submissions were praised for their attractiveness and clarity.

His recent cases include: a husband accused of decapitating his wife, a street shooting, rape between acquaintances where consent was the issue, an orchestrated armed robbery of a post office, confiscation proceedings where the assets were assessed at in excess of GBP 3,000,000, a domestic arson attack involving a Molotov cocktail, death by dangerous driving where speed is the issue.

Birmingham

103 Colmore Row
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Bristol

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Bristol
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DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

He has a degree in psychology and so is adept at understanding and utilizing medical evidence of this nature – he recently represented a man whose defence to murder was that the voices in his head commanded him to kill.

He offers early and continuous advice, both on paper and in conference, throughout criminal proceedings and in subsequent confiscation proceedings if appropriate.

He favours early conferences at either chambers or solicitors' offices so that important issues can be identified at an early stage and, if necessary, acted upon.

Simon is a Grade 4 prosecutor, RASSO accredited and a member of the specialist fraud prosecution panel.

Regulatory

Simon accepts instructions on a variety of regulatory and licensing matters. He has developed a reputation as a persuasive advocate who works hard from beginning to end for his clients. His personable manner and true understanding of client care is frequently commented upon by those who instruct him.

He has been appointed to the "C" list of the List of Specialist Regulatory Advocates in Health and Safety and he accepts instructions to prosecute on behalf of the Health and Safety Executive.

He has experience of both alcohol and taxi licensing cases and has given seminars on behalf of the Institute of Licensing. He appears both at hearings before local authority sub-committees and at appeals in the Magistrates Court.

His particular interest in regulatory work stems from having spent a year prior to pupillage working and training with Bernard Thorogood (also of No5 Barristers' Chambers) where he gained invaluable experience of a very wide range of regulatory crime, including health and safety, environmental, trading standards, food safety and data protection. He had a significant role assisting in the preparation for a number of cases in the Crown Court and the Court of Appeal.

Since then he has developed experience and a strong reputation in his own right. He has been instructed in cases involving health and safety, environmental protection, noise abatement, food safety, breaches of enforcement notices (and subsequent confiscation proceedings) to name but a few. He is a very experienced Crown Court advocate which often places him at an advantage, particularly in contested cases.

He has considerable experience of representing police officers both in the criminal courts and before their disciplinary bodies.

He also represents the interests of individuals at inquests.

He has recently advised in cases involving:

- compliance notices,
- enforcement notices,
- whether the parents of a child who was removed from school for a month should escape prosecution due the "religious observance" caveat,
- whether a shisha-smoking premises were in contravention of The Smoke-free (Premises and Enforcement) Regulations 2006/3368

Professional Misconduct

Simon regularly represents police officers in criminal and disciplinary hearings across the country. He has a broad criminal practice

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and so has experience of dealing with matters across the criminal spectrum. His personable manner enables him to quickly strike up a rapport with his clients.

He recently secured the acquittal of a police officer charged with spitting in the face of a doorman whilst off-duty.

Accreditations

- Grade 4 prosecutor
- RASSO accredited

Memberships

- Middle Temple

Qualifications

- BSc (Hons) Dunelm
- GDL (College of Law)
- BVC (ICSL)

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