



## Rose Commander

Associate

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Rose Commander is a criminal defence expert who represents clients facing the full range of criminal allegations. A solicitor and higher courts advocate, Rose often represents successful professionals for whom any criminal investigation, no matter how minor, can have grave professional implications.

Rose helps clients at every stage of criminal investigation process: from when an allegation is first made, through to providing advice at the police station, then – if necessary – through the litigation process to trial and appeal.

Rose has represented clients charged with the most serious offences, as well as those investigated in relation to criminal allegations, which while less serious, can nonetheless have significant reputational, professional and personal impacts. No matter what the allegation, Rose brings the same level of attention and enthusiasm to all her cases.

Rose recognises the importance to her clients of quickly stopping unmerited criminal investigations and has had often persuaded police and CPS drop unnecessary prosecutions at an early stage.

She has particular expertise opposing ancillary orders such as restraining orders, sexual harm prevention orders and football banning orders. She is also experienced in extradition and confiscation proceedings.

Rose has conducted numerous Magistrates' Court trials and has frequently appeared in the Crown Court. She has successfully appeared before the Court of Appeal and has received praise from the High Court for her oral and written submissions.

Rose has a BA (Hons) in History from the University of Manchester, 2008. She was awarded distinctions in both the GDL and LPC from the College of Law, Bloomsbury. She trained at a busy south London firm before qualifying as a solicitor in 2015. She joined Hickman & Rose in 2018.

She is a committee member of the London Criminal Courts Solicitors Association and a member of the Defence Extradition Lawyers Forum and Women in Criminal Law.

## Areas of Expertise

### Assaults & Violent Crime

Rose has significant experience representing clients being investigated in connection with allegations of assault and violence.

Rose has particular expertise in representing clients with mental health problems or for whom a moment of crisis has led to police involvement. For example, persuading the prosecution to drop multiple charges of assaulting a police officer against a vulnerable young woman who had been in the midst of a breakdown and who should have been supported and not prosecuted. Rose has represented clients for whom mental health treatment requirements were ultimately necessary, including hospital orders and restriction orders. She has been praised by judges for her ability to obtain important psychiatric reports within tight timeframes for clients.

The majority of Rose's clients wish to focus their efforts at the earliest stage of proceedings to have the best chance of the matter not proceeding any further. She is regularly instructed as soon as a client has an indication of police involvement. Almost all of Rose's recent cases of assault have concluded at the investigation stage, some almost immediately after interview, for example, for a client arrested during lockdown after an allegation of assault made by his wife whose case concluded with no further action being taken shortly after interview.

Inevitably, some cases do progress to trial and Rose has experience in representing clients in relation to all levels of assault from the Magistrates' Court to the Court of Appeal.

### Harassment & Communications Offences

Rose is often instructed by clients accused of harassment and related offences. Though these are often less serious offences in terms of sentence, often they are immensely emotionally and psychologically challenging. They can require many hours of work and for a solicitor to work very closely with a client to work through the many issues which often arise. In Rose's experience many of these cases give rise to counter-allegations and Rose is often instructed to assist people who wish to make a report themselves to police.

With increased use of social media and digital technology has come a huge rise in offences being committed through these mediums. It is often imperative that we are instructed at an early stage so we can ensure that we have access to evidence that may be stored on devices that will later be seized, for example, copies of any messages or videos sent between parties. This can often prove the tipping point for cases and can give the edge to suspects who otherwise could find themselves ambushed in interview.

The police station interview can often be the most important point in trying to divert the matter from going further and Rose provides robust advice and assistance to clients being interviewed in relation to such allegations. For example, representing a doctor investigated for sending WhatsApp messages to her female friends allegedly amounting to threats to kill and malicious communications, shortly after interview it was confirmed no further action would be taken.

Harassment trials are often some of the most time-consuming to prepare and Rose's meticulous case preparation is important to such cases. These types of cases often have a complex factual matrix spanning over a considerable period, Rose is used to handling high quantities of material and getting to the vital points in a case. Often it is only with thorough examination of a client's communications that a case can be won and Rose is used to deciding tactically how and when it is best to present such information.

## Sexual Offences

Rose is regularly instructed to represent clients accused of sexual offences and her clients have thanked her for her non-judgemental and compassionate approach, often needed for what can be extremely distressing and embarrassing accusations.

She has successfully defended numerous clients for whom simply being investigated in connection with allegations of this type can cause significant professional and personal damage. For these clients it is even more important that allegations do not progress past the investigation stage. In the last year she has represented a school teacher accused of raping a colleague where no further action was taken and a school teacher accused of sexual assault of a child (pupil), again with no further action being taken.

In some cases it is not possible to prevent charges being brought, in those circumstances Rose will work tirelessly for clients to secure the best possible result for them.

## Extradition

Rose advises individuals in respect of extradition requests and often deals with criminal cases with an international dimension.

She applies a pragmatic and practical approach to find solutions for clients faced with the difficulty of an extradition request. A former duty solicitor in the busy extradition courts of Westminster Magistrates' Court, Rose understands as an advocate and litigator how important case preparation is at the very earliest stages of an extradition request. Rose's previous experience as an advocate at final hearings enables her to provide realistic and pragmatic strategic advice to clients contesting extradition.

Most recently she has represented a client in relation to his requested extradition to Italy, where the Italian authorities ultimately withdrew the EAW. She continues to represent him, together with founding Partner Ben Rose, regarding a European Investigation Order.

## Advocacy

A practised and confident advocate Rose has appeared before each of the criminal courts in the country, from the Magistrates' Court to the High Court. She has successfully appeared before the Court of Appeal where she obtained a substantial reduction in sentence for her client and was praised for her submissions.

She has undertaken hundreds of Magistrates' and Crown Court hearings, including many Magistrates' Court trials with an enviable acquittal rate. Her experience as an advocate of the cut and thrust of

criminal trials translates as a litigator into astute tactical case strategy. She takes particular pleasure in drafting and presenting arguments relating to the admissibility of evidence, abuse of process and submissions of no case to answer at half time.

Rose has particular experience opposing ancillary orders and feels strongly that these should be robustly prepared and rebutted due to the disproportionate effect they can have on a person's life. For example, she has successfully opposed numerous applications for Football Banning Orders which have allowed her clients, often the most committed and passionate of fans, to continue to attend matches.

Rose continues to enjoy undertaking her own advocacy where appropriate.