



## **Sania Nissar**

Called: 2018

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Sania's practice consists of general crime where she is instructed by defence and prosecution agencies.

She regularly appears in the Crown Court, Magistrates Court and Youth Courts, where she represents clients charged with a wide range of offences, including immigration offences, motoring offences, drugs supply/possession, fraud, robbery, violent offences and sexual offences.

Sania has experience as a trial advocate in both the Crown Court and Magistrates Court where she has achieved the best possible outcomes for her clients.

Prior to joining 187, Sania developed extensive experience as a disclosure advisor where she trained officers on how to complete their disclosure schedules and undertook large discovery reviews. Her ability to effectively scrutinise disclosure at the pre-trial stage is an invaluable skill that has assisted in both her defence and prosecution briefs

## **Cases**

### **Criminal Defence**

R v SSK – defended a vulnerable refugee and secured a 12-month sentence for a client convicted of illegal entry via small boats, SSK had a significant immigration history of illegal entry which added an additional element of severity beyond what is recommended by current case law. However, through careful mitigation Sania secured the recommended starting point sentence.

R v SK – secured an acquittal in the Magistrates Court for a client charged with failing to provide a specimen of breath. Sania successfully persuaded the bench that the police had failed to provide SK with an interpreter and he therefore could not understand the complex language of the statutory warning. SK was acquitted and maintained his good character.

R v AM – Sania represented a 17-year-old charged with marketing weapons, including firearms. After submissions to the Crown Advocate regarding lack of evidence on a POCA charge and the overcharging of one offence AM entered guilty pleas to 5 out of 8 charges before trial. Sania successfully secured a 12-month referral order after extensive mitigation through written and oral representations.

R v BR – Successfully persuaded a Crown Court Judge not to activate a suspended sentence that had been poorly complied with on the basis that BR's vulnerabilities, alongside his autism and ADHD inhibited any effective and meaningful engagement with probation services, resulting in further offending. It was raised that probation, possibly due to lack of resources, did not fully appreciate BR's vulnerabilities and therefore did



not provide enough adjustments to assist his compliance. It was successfully submitted that a second opportunity to fully participate in any rehabilitative activities ought to be granted.

R v KM – On the day of trial Sania raised concerns that CCTV footage, which the Crown stated did not show evidence of an assault, was not listed on any disclosure schedules nor contained within the body of evidence. The reference to this material's existence was noted after meticulous review of served material. After raising the Prosecution's failure to properly comply with their disclosure she sought to set down a timetable for abuse of process, the Crown offered no evidence.

R v WB – Represented a vulnerable youth who had turned 18 at the time of trial. Despite findings of reasonable and conclusive grounds of modern slavery, the Crown proceeded to trial. Sania raised concerns to the Crown advocate who had provided an outdated disclosure schedule, the Crown acknowledged their disclosure obligations were poorly complied with. This resulted in the Crown offering no evidence.

R v AG – represented a vulnerable individual in the Crown Court facing allegations of ABH and common assault. Sania successfully secured a rehabilitation focused community order.

R v KB – Represented an individual accused of fraud by false representation, by working diligently alongside instructing solicitors Sania convinced the Crown to allow KB a further opportunity to accept an out of court disposal. The Crown were content to consider this final opportunity and KB remains conviction free.

## **Criminal Prosecution**

R v MDV – Represented the Crown in an immigration matter involving the use of false identity documents and the circumventing of immigration control. Sania provided a detailed advice on the evidence and represented the Crown in a complex sentencing exercise through a clear presentation of the case law.

## **Professional Memberships**

- Gray's Inn
- Criminal Bar Association
- Women in Criminal Law
- Howard League for Penal Reform
- Member of the Junior Junior Panel for the Government Legal Department
- Grade 1 CPS Counsel

## **Awards, Qualifications & Other**

- Newcastle University – LLB Law
- City, University of London – BPTC LLM