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Chambers & Partners 2010

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Crime & Regulatory Law

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Sir Ken Macdonald QC
Clare Montgomery QC
Blinne Ní Ghrálaigh
John O'Flaherty
Tim Owen QC
Matthew Ryder
Mark Summers

Matrix offers an unrivalled combination of specialist skills and experience in national and international crime and regulatory law. Practising in over 25 different areas, our members have a range of talents which cut across the Bar's traditional boundaries.

A unique combination of strengths and experience:

We offer an unrivalled combination of specialist skills and experience in domestic and international crime and associated areas of regulatory law. We practise in numerous different areas and combine cutting edge forensic, advocacy and legal skills to ensure the best possible representation for the client. Many members have authored the leading works in their fields of practice.

We can offer a unique blend of criminal, human rights and public law experience and are frequently instructed to act for a range of clients in criminally - related judicial review proceedings, inquests and inquiries.

We also specialise in appellate work, and members have appeared in many high - profile Court of Appeal and House of Lords cases, capital appeals to the Privy Council, as well as Strasbourg litigation.

Our members are also frequently retained to provide strategic advice to corporations and individuals in relation to the pre-charge and investigatory stages of a case.

We act for both prosecution and defence as well as individuals and regulatory authorities, and appear in courts throughout the UK and abroad, from the magistrates' court up to the Supreme Court.

Our members' areas of expertise include:

- Serious crime including homicide, terrorism, corporate manslaughter, official secrets, espionage, large-scale public order cases
- White collar crime including fraud, corruption, insider dealing and money laundering
- Crime related judicial review
- Asset restraint and confiscation
- Health and safety
- Courts-martial
- War crimes and international criminal tribunal work
- FSA investigations and tribunals
- Professional disciplinary tribunals
- Extradition and international mutual assistance

In addition:

Members of the Crime and Regulatory Group come from a wide-range of backgrounds and previous careers, with the ability and expertise to provide support in large cases.

Matrix provides high quality facilities for case meetings and video conferencing.

Matrix members are pioneers in the use of IT and present cases using advanced technology in criminal courts throughout the country.

Notable cases

R v Erin (2009) Clare Montgomery QC represented the defendant doctor, accused of attempting to procure an abortion.

R v Ramnath (2009) Julian Knowles represented a doctor accused of gross negligence manslaughter
Operation Overt: Mark Summers represented a defendant in the Airlines Bombing case.

R v Laxton (2009) Julian Knowles represented a senior civil servant accused of racially aggravated speech.

R v Khyam (2008) Matthew Ryder appeared for the defendant in the Fertiliser Bomb Plot.

R v Asfaw (2008) Clare Montgomery QC and Julian Knowles represented the Crown in the House of Lords in a case concerning immigration offences and refugee rights.

Prosecutor v Ramush Haradinaj (2008) Ben Emmerson QC defended Ramush Haradinaj the ex Prime Minister of Kosovo on charges of war crimes at the ITCY.

R v Office of the Commissioner (2007) Clare Montgomery QC and Julian Knowles represented the Crown in the prosecution arising from the shooting of Jean Charles De Menezes.

R v Payne (2006-7) Tim Owen QC and Julian Knowles represented the first British soldier accused of war crimes.

R v Hendy-Freegard (2007) Kidnapping by fraud: defendant induced victims to move unaccompanied from place to place by fraudulent misrepresentation. Tim Owen QC appeared in this case.

Yukos Oil Co v Financial Services Authority London Stock Exchange (2006) Clare Montgomery QC appeared in this challenge to the floatation of Russian oil group Rosneft on the London Stock Exchange which incorporated elements of public law, commercial law and criminal law.

Gilbert v The Queen (2006) Clare Montgomery QC represented a former government minister in this leading case in the Privy Council which examined the general rule that it is for defence counsel and the defendant to ensure that the judge is aware that the defendant is relying on his good character.

R v Dunlop (2006) Tim Owen QC, Hugh Tomlinson QC and Alex Bailin appeared in the first 'double jeopardy' case.

R v Garcia and others (2006) "The Fertiliser Case". Matthew Ryder appeared.

Najeib v Lee Bowyer (2006) Civil claim against premiership footballer. Matthew Ryder appeared for the claimant.

R v Milling and others (2006) Alison Macdonald appeared for the appellants in the House of Lords in an appeal concerning whether anti-war protesters charges with criminal damage could argue in their defence that they were preventing an unlawful crime of aggression.

R v G & Secretary of State for the Home Department (2006) Concerned whether The Sexual Offences Act 2003 s.5, which created the offence of rape of a child under 13 even where a defendant reasonably believed that the child was 13 or over, was compatible with the European Convention on Human Rights 1950 Art.6(2).

R v Sion Jenkins (2004 - 6) Clare Montgomery QC and Julian Knowles represented the former deputy headmaster Sion Jenkins in the Billie-Jo murder case.

R v Sihali and others (2005) Defendants acquitted in "Ricin" trial. Matrix barristers Ben Emmerson QC, Matthew Ryder, Danny Friedman and Mark Summers appeared on behalf of two of the acquitted men.

R v Patrick Smith (2005) Clare Montgomery QC and Julian Knowles successfully represented the lead appellant in his House of Lords appeal for murder. The appeal was allowed because of misconduct by the jury and the judge's inadequate directions.

R v Stanford (2005) The case concerned the internet businessman charged with the blackmail of Dame Shirley Porter. Tim Owen QC and Alex Bailin appeared in this case.

R v Katharine Gun (2004) Alex Bailin, Ben Emmerson QC and Philippe Sands QC were instructed in this case concerning a GCHQ employee charged with Official Secrets Act disclosures in lead-up to Iraq war, advice on legality of the Iraq war.

Lambert Watson v The Queen (Privy Council, 2004) Julian Knowles represented the appellant in this case, which resulted in the abolition of the mandatory death penalty in Jamaica.

R v Sally Clark (2003) Clare Montgomery QC appeared in this case of a solicitor cleared of murdering her babies.

Further notable cases

Attorney General's Reference No. 4 of 2002 [2003] Tim Owen QC and Danny Friedman were instructed in this case concerning whether or not s.11(2) of the Terrorism Act 2000 infringes the presumption of innocence contained in Article 6(2) ECHR.

Lynch v DPP (2002) Matthew Ryder appeared in this case regarding the legality of reverse burden placed on those accused of carrying offensive weapons.

R v Railtrack plc and others Clare Montgomery QC and Alex Bailin represented the Chief Executive of Railtrack over the Hatfield rail crash, corporate manslaughter, and health & safety charges - Alex Bailin now acts for Railtrack.

Attorney General's Reference No. 2 of 1988 [2000] QB 412 - Clare Montgomery QC was instructed in this case concerning the width of the powers of Companies Act inspectors.

R v Offen [2001] 1 WLR 253 Danny Friedman appeared for Okwuegbunam in this mandatory sentencing case appealing against the imposition of an automatic life sentence in the light of Articles 3 and 5 of the ECHR.

R v Reagan, Greene, Chambers and Thomas (2002) Matthew Ryder appeared in this Serious Fraud Office prosecution of Co-op executives.

R v Lambert [2001] 3 WLR 206 HL Tim Owen QC was instructed in this case concerning whether s.28(3) of Misuse of Drugs Act 1971 is compatible with Article 6(2) of the ECHR; whether Human Rights Act 1998 is retrospective in relation to criminal trials held before October 2000.

R v von Boch und Polach (2002/3) Alex Bailin appeared in this fraud case concerning a high-profile Enron lawyer.

R v Benjafield and Rezvi [2001] 3 WLR 75 Tim Owen QC and Danny Friedman were instructed in this case concerning whether confiscation proceedings under the Drug Trafficking Act 1994 and the Criminal Justice Act 1988 are compatible with Article 6(2) of the ECHR

Attorney General's reference No. 2 of 2001 [2004] 2 AC 72 HL Ben Emmerson QC and Danny Friedman appeared in this test case in the House of Lords outlining the point when a person is charged for the purposes of the reasonable time requirement under Art 6 and available remedies for a breach of the right.

Publications

Fraud: Criminal Law and Procedure Clare Montgomery QC

Prison Law, 4th edition (Oxford University Press, 2008) Tim Owen QC and Alison Macdonald

Human Rights and Criminal Justice, Ben Emmerson QC (2007, Sweet & Maxwell) contributions from Alex Bailin, Alison Macdonald, Danny Friedman, Matthew Ryder and Julian Knowles

Blackstone's Guide to the Serious Organised Crime & Police Act 2005 (OUP, 2005) Tim Owen QC, Hugh Tomlinson QC, Julian Knowles, Matthew Ryder, Alison Macdonald and Alex Bailin.

Asset Recovery: Criminal Confiscation & Civil Recovery Tim Owen QC (2nd Ed LexisNexis Butterworths, 2004)

Blackstone's Guide to The Extradition Act 2003 Julian Knowles (Oxford University Press, 2004)

Archbold: Criminal Pleading, Evidence and Practice Clare Montgomery QC, Ben Emmerson QC and Danny Friedman, contributing editors

Police powers, Criminal Justice and the Human Rights Act 1998 (Blackstone, 2001) Tim Owen QC contributor

The legal directories recognise Matrix as a leading set in crime and fraud, and a large number of our silks and junior practitioners are also leaders in civil liberties and human rights.

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