

Alex Bailin QC

T. 020 7404 3447 (Practice Manager, Paul Venables)
E. alexbailin@matrixlaw.co.uk

Registered name on the Bar Standards Board Register: Alexander Bailin QC
VAT Number: 702279943

matrix
chambers

Year of Call: 1995

Silk: 2010



Main Areas of Practice

Fraud

Criminal Law and
Regulatory

Public Law

Human Rights

Media Law

Public International Law

Alex's practice encompasses criminal law and fraud together with public law, human rights law and public international law.

He is recommended as a leading Silk by the legal directories in five areas: (1) criminal fraud (2) crime (3) human rights (4) public and administrative law and (5) public international law.

Fraud

Previously a derivatives trader in the City who read Mathematics at Cambridge University, Alex is instructed in a wide variety of commercial and business crime cases: corporate manslaughter, corruption, cartels, frauds of all kinds, insider dealing, financial services and other regulatory offences. He regularly provides advice during the investigatory or pre-litigation stages of a case to a wide range of bodies and persons: senior business executives, City firms, regulators, prosecuting authorities, professional bodies, multinational corporations, foreign governments, journalists and media organisations. His work often involves international law issues. He is on the Serious Fraud Office QC List.

He is a contributing author to various leading textbooks on criminal law and fraud. He writes the Companies Act offences chapter in Montgomery and Ormerod, *Fraud: Criminal Law & Procedure*. He is on the Serious Fraud Office's QC list.

Crime

His practice ranges from Official Secrets Act disclosures to death-row appeals. Notable cases include defending a GCHQ employee charged with Official Secrets Act disclosures relating to the Iraq war; the first application to retry an acquitted person (for murder) under the new law relating to double jeopardy; a high-profile business blackmail and unlawful email interception case; litigation arising from a large corruption investigation in Premiership football; the leading case on the meaning of 'miscarriage of justice'; gross negligence manslaughter relating to a death in police custody.

His international criminal work includes advising on issues relating to state immunity and its interaction with the jurisdiction of international criminal courts; issues relating to the use of force and allegations of torture and genocide and other violations of fundamental human rights; issues relating to individual violations of international criminal laws.

He writes the Official Secrets Act chapter in Blackstone's *Criminal Practice* and contributes to Emmerson & Ashworth, *Human Rights & Criminal Justice*.

Media law

His media work often involves the interaction between fair trial rights, privacy, confidentiality and freedom of speech

T. 020 7404 3447 (Practice Manager, Paul Venables)
E. alexbailin@matrixlaw.co.uk

- areas where criminal and media law intersect. He has advised high-profile figures, editors, journalists and national newspapers on reputation management issues, production orders, search warrants, witness summonses, reporting restrictions, contempt of court and other criminal offences.

Public law and human rights

He has a diverse human rights and public law practice: ranging from judicial reviews to cases in Strasbourg. He has been instructed in more than 20 cases in the Supreme Court, House of Lords, Privy Council and European Court of Human Rights, including many death-row appeals. He often works at the interface between criminal and public law.

Recent/current notable cases

Fraud

- GlaxoSmithKline (criminal investigation into paediatric clinical trials of anti-depressants: interaction of EU and domestic criminal law)
- R(Redknapp) v City of London Police (corruption investigation in Premiership football)
- R v Cliff Stanford (internet entrepreneur charged with blackmailing Shirley Porter, unlawful email interception)
- Advising in three major SFO corruption investigations including Alstom and Kaupthing/Tchenguz
- Advising in a complex cartel investigation
- Defending in a high-profile insider dealing prosecution

Criminal law

- R v William Dunlop (first application to retry an acquitted person (for murder) under new double jeopardy laws)
- R v Railtrack plc and its former Chief Executive (corporate manslaughter prosecution, Hatfield rail crash)
- R v Katharine Gun (GCHQ employee charged with Official Secrets Act disclosures relating to the Iraq war)
- R(Adams) v Secretary of State for Justice (leading case on meaning of 'miscarriage of justice')
- Prosecution of a doctor for gross negligence manslaughter in police custody

Media law

- MoD v Griffin [2008] EWHC 1542 (media injunction and prior publication)
- R(Malik) v Manchester Crown Court [2008] EMLR 19 (terrorism production order, confidentiality of journalistic sources, self-incrimination, special advocates)
- R v D [2007] 1 WLR 1657 (reporting restrictions, application to quash an acquittal)

Human rights and Public Law

- R(C & GC) v Metropolitan Police [2011] 1 WLR 1230 (Supreme Court - retention of non-convicted persons' DNA)
- R(Cart & MR) v Upper Tribunal [2011] 3 WLR 107; Eba v Advocate General for Scotland [2011] 3 WLR 149 (Supreme Court - judicial review of Upper Tribunal)
- HM Treasury v Ahmed and others (Nos. 1 & 2) [2010] AC 534 (UK Supreme Court, legality of UN anti-terrorist asset-freezing laws)

T. 020 7404 3447 (Practice Manager, Paul Venables)
E. alexbailin@matrixlaw.co.uk

- Gillan & Quinton v UK (2010) 50 EHRR 45 (legality of anti-terrorist police powers)
- Advising the Chief Justice of Gibraltar: considered in [2009] UKPC 43
- R(Gentle) v Prime Minister [2008] 1 AC 1356 (House of Lords appeal - legality of Iraq war and duty to hold a public inquiry)
- A and others v Home Secretary [2005] 2 AC 68, (2009) EHRR 29 ("Belmarsh case" in the House of Lords and European Court of Human Rights on the detention without trial of suspected terrorists)

Publications

- Co-author, Emmerson & Ashworth, Human Rights & Criminal Justice
- Co-author, Montgomery & Ormerod, Fraud: Criminal Law and Procedure
- Co-author, Blackstone's Criminal Practice
- Numerous articles on public law, crime, fraud and human rights in legal journals and the national press

Directory Recommendations

Chambers & Partners Guide to the Legal Profession recommends Alex Bailin in four areas: (1) Criminal Fraud; (2) Crime; (3) Civil Liberties & Human Rights; (4) Administrative & Public Law.

He is also recommended by the Legal 500 in: (1) Criminal Fraud; (2) Civil Liberties & Human Rights; (3) Administrative & Public Law; (4) Public International Law.

The legal directories praise him as:

- "hugely talented"; "known for his great intelligence and worldliness" (Chambers & Partners 2012, Fraud: Criminal)
- "extremely persuasive and analytical" (Chambers & Partners 2012, Human Rights)
- "in demand"; "one of a handful of public law silks with extensive criminal law expertise" (Chambers & Partners 2012, Admin. & Public Law)
- "brilliant" (Legal 500 2011, Human Rights)
- "a fine understanding of the workings of high finance" (Chambers & Partners 2011: Fraud, Criminal)
- "a great feel for the law" (Chambers & Partners 2011, Crime)
- "brilliant" ... "closes off problems before they arise and is often many moves ahead of his opponent" (Chambers & Partners 2011, Admin. & Public Law)
- "very good on the overlap between public and criminal law" (Chambers & Partners 2011, Human Rights)

Other Information

Foreign Office pro bono lawyers' panel which assists British prisoners abroad.

Regular speaker at Human Rights, Public Law and Criminal Law conferences.

Regular commentator in the national and legal press on legal issues.

Has appeared on BBC News, Radio 4 Today Programme and Newsnight on legal issues.