

Helen Law

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matrix
chambers

Registered name on the Bar Standards Board Register: Helen Elizabeth Law
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Called 2005



Main Areas of Practice

Crime and Due Process

Civil Actions Against the Police

Human Rights and Public Law

Public International Law

Prison Law

Described in Chambers and Partners as “impeccable” and a “rising star of the Bar”, and picked by Legal Week as one of the most promising juniors at the Bar, Helen has a broad criminal, civil and public law practice, with a focus on criminal justice and human rights.

Crime

Helen prosecutes and defends, both on her own and as a junior. She is a Grade 2 prosecutor, and was recently instructed by the CPS Special Crime Division to prosecute in *R v Lord Taylor* (in which she appeared alone) and *R v Lord Hanningfield* (where she was led by Clare Montgomery QC), in relation to House of Lords' expenses claims. She was instructed in the preliminary proceedings concerning Parliamentary privilege: *R v Lord Hanningfield* [2010] 2 Cr App R 394. She is currently instructed by CPS Northampton to prosecute the first case against circus owners for animal cruelty under the Animal Welfare 2006, having initially been instructed with Matthew Ryder QC to bring the case as a private prosecution on behalf of Animal Defenders International.

Helen's recent defence work includes acting as junior counsel in a £1½m conspiracy to defraud and conspiracy to pervert the course of justice. She is currently instructed with Matthew Ryder QC for one of the defendants in an insider dealing case described by the FSA as the most serious and complex such prosecution which has ever been mounted in the UK: the case was recently included in The Lawyer's Top 20 cases of 2012. She has successfully defended as a led junior in two VHCC prosecutions concerning allegations of conspiracy to blackmail and conspiracy to harm an animal research organisation.

Helen is currently instructed on behalf of Julian Assange in his appeal to the Supreme Court against the decision to extradite him to Sweden (with Mark Summers), and has experience of dealing with criminal cases which raise complex human rights and public international law issues. In 2009 Helen was junior counsel to Ben Emmerson QC for the Public Prosecution Service in the Robert Hamill Inquiry in Northern Ireland concerning a sectarian murder and alleged collusion in the subsequent criminal investigation.

Helen also undertakes *pro bono* appeals to the Privy Council in Caribbean cases. Her recent cases include: *Campbell v The Queen* [2010] UKPC 26, led by Julian Knowles, which raised complex issues concerning the scope of the special leave jurisdiction, and led to the quashing of the appellant's conviction for murder; *Krishna v The State* [2011] UKPC 18, concerning directions on voir dire and accomplices, again resulting in the quashing of the appellant's murder conviction.

Public Law, Human Rights & Public International Law

Helen is regularly instructed in both domestic and international cases, including in the European Court of Human Rights and the International Court of Justice, often in a criminal justice context. Her notable cases include:

- *Law Society v Lord Chancellor* (2012), in the Divisional Court, concerning the legality of specific cuts to criminal legal aid in the magistrates' court (led by Sam Grodzinski QC, ongoing).
- *Zatuliveter v Secretary of State for the Home Department* (2011), before the Special Immigration Appeals Commission, concerning an allegation of espionage against a Russian national living and working in London. The appeal was the first espionage case ever heard by SIAC (with Tim Owen QC).
- *Al-Jedda v United Kingdom; Al-Skeini v United Kingdom* (2011) 53 EHRR 18/23, before the Grand Chamber of the European Court of Human Rights concerning Article 1 jurisdiction and the interrelation of Article 5 with Resolutions of the UN Security Council (with Rabinder Singh QC and Raza Husain QC).
- *GC & C v Metropolitan Police Commissioner* [2011] UKSC 21, before the Supreme Court, concerning the lawfulness of the ongoing blanket policy of retaining samples of DNA from arrested persons (with Karon Monaghan QC).

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- *CICA v 1st Tier Tribunal (2011)*, in the Upper Tribunal, concerning the appropriate criminal injuries compensation for oral rape.
- *Croatia v Serbia (2010)*, before the International Court of Justice, on behalf of Croatia in its claim against Serbia under the Genocide Convention (with James Crawford SC, Philippe Sands QC, Ben Emmerson QC and Kate Cook).
- *Al-Saadoon & Mufdhi v United Kingdom (2010) 51 EHRR 9*, concerning an unlawful transfer, in breach of Articles 3, 13, and 34 ECHR, by the UK of two men to the Iraqi authorities to stand trial on capital charges. She was instructed throughout the domestic proceeding: [2008] EWHC 3098 (Admin), [2009] EWCA Civ 7, and House of Lords (led by Karon Monaghan QC, Ben Emmerson QC and Raza Husain QC).
- *CN v United Kingdom (2009)* and *Kawogo v United Kingdom (2010)*, concerning the failure of the UK to adequately criminalise forced labour and servitude in accordance with Article 4 ECHR (with Helen Mountfield QC and Ken Macdonald QC).
- *HJ (Iran), (HT) Cameroon [2010] 3 WLR 386*, in the Supreme Court, concerning the correct approach to determining asylum claims based on sexuality (with Karon Monaghan QC and Jessica Simor).
- *E v SSHD [2008] 1 AC 499*, in the House of Lords, concerning the compatibility of anti-terrorism control orders with Articles 5 and 6 (with Ben Emmerson QC and Raza Husain QC).
- *Al-Marri v Spagone (2008)*, in the US Supreme Court, in a written intervention on behalf of the Commonwealth Lawyers Association and JUSTICE, concerning the executive military detention of a US resident (with Ben Emmerson QC and Alex Bailin QC).

Helen is regularly instructed in criminal justice related public law matters, including appeals by way of case stated and judicial reviews of prosecutorial decisions. With Philippe Sands QC, she has advised a major NGO on the legality under international law of the replacement of the UK's Trident nuclear deterrent.

Police and prison law

Helen is regularly instructed as sole or junior counsel at all stages of civil claims against the police, including claims for false imprisonment, assault, malicious prosecution, discrimination, negligence, breach of the HRA and breach of the DPA. She has particular experience in dealing with disclosure issues in civil claims against the police, and has successfully obtained disclosure of unsubstantiated allegations of misconduct in a race discrimination, assault and false imprisonment case.

Helen's notable prison law cases include judicial reviews concerning the repatriation of prisoners within the EU in *R (Shaheen) v SSJ* [2008] EWHC 1195 (Admin) and the proper approach of the Parole Board to denial of guilt by those convicted of terrorism offences in *R (Botmeh & Alami) v Parole Board & Anor* [2008] EWHC 1115 (Admin) (with Tim Owen QC). She has appeared before Independent Adjudicators in discipline matters and before the Parole Board in lifer matters.

Education and previous experience

- Bedingfield Scholarship, Gray's Inn (2005)
- Part-time tutor in criminal law, King's College London and Mansfield College, Oxford (2004-2005)
- Research Assistant, Criminal Law Team, Law Commission for England and Wales (2003-2004)
- LLM Public International Law, with International Criminal Law Specialisation, Leiden University (2003)
- LLB Law, First Class, Birmingham University (2002)

Publications

Helen is a contributing author to the following publications: *Human Rights and Criminal Justice*, by Emmerson, Ashworth and Macdonald (2nd Ed., Sweet & Maxwell, 2007); *Asset Recovery: Criminal Confiscation and Civil Recovery*, edited by Smith, Owen and Bodnar (2nd Ed., OUP, 2007); *Fraud: Criminal Law and Procedure*, edited by Montgomery and Ormerod (OUP, 2008); *Prison Law*, by Livingstone, Owen and Macdonald (4th ed., OUP, 2008).