

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

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 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 and a mathematician, Alex is instructed in a wide variety of commercial and business crime cases; from corporate manslaughter and frauds of all kinds to financial services and other regulatory offences. His clients include senior business executives, City firms, multinational corporations, prosecuting authorities, professional bodies, regulators, foreign governments, journalists and media organisations. His work often involves international and extra-territorial issues. He is currently advising in a number of complex corruption and insider dealing investigations.

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 Queen's Counsel 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; and litigation arising from a large corruption investigation in Premiership football.

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 and freedom of speech. He has advised high-profile figures, journalists and media organisations on production orders, witness summonses, reporting restrictions, contempt of court and other criminal offences.

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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 a total of 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 cases include Supreme Court and ECtHR appeals relating to the legality of anti-terrorist powers, UN asset-freezing measures, and the legality of the war in Iraq.

His clients have included: an innocent child whose DNA was retained on the national database; a journalist resisting production of confidential material relating to a terrorist investigation; a member of the Armed Forces who was prohibited from making any disclosures; a senior judge; and the parents of young soldiers killed in Iraq.

He has been involved in a number of judicial reviews of decisions to prosecute and not to prosecute.

He regularly writes in the legal and national press on issues relating to human rights.

Recent/Notable cases

Fraud

- GlaxoSmithKline (criminal investigation into paediatric clinical trials of anti-depressants)
- 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)

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)

Media law

- MoD v Griffin [2008] EWHC 1542 (confidentiality 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

- HM Treasury v Ahmed and others (Nos. 1 & 2) [2010] 2 WLR 378 (UK Supreme Court, legality of UN anti-terrorist asset-freezing laws)
- Gillan & Quinton v UK [2010] European Court of Human Rights (legality of anti-terrorist police powers)
- Advising the Chief Justice of Gibraltar: considered in [2009] UKPC 43

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- 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)
- E v Home Secretary [2008] 1 AC 499 (House of Lords ruling on the legality of "control orders")
- Pipersburgh & Robateau v R [2008] UKPC 11 (death row appeal: dock identification, constitutionality of death by hanging)

Publications

- Co-author, Emmerson & Ashworth, Human Rights & Criminal Justice
- Co-author, Montgomery & Ormerod, Fraud: Criminal Law and Procedure
- Co-author, Blackstone's Criminal Practice

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:

- "brilliant" (Legal 500, Human Rights)
- "incredibly literate in human rights law"; "vastly experienced" (Chambers & Partners, Human Rights)
- "a good intellectual lawyer" (Legal 500, Fraud: Crime)
- "his background as a derivatives trader in the City gives him additional expertise in the fraud-related cases" (Chambers & Partners, Fraud: Criminal)
- "incredibly bright, imaginative and determined"; "excels in specialist criminal and public law work" (Chambers & Partners, Crime)
- "excellent judgment"; "a very strategic thinker" (Chambers & Partners - Admin. & Public Law)
- "a real intellectual approach to a case but able to boil it down into key simple points" (Chambers & Partners - Admin. & Public Law)

Other Information

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

Regular speaker at Human Rights and Criminal Law conferences.

Regular commentator in the national press on legal issues.

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