

Year of Call: 1996



Main Areas of Practice

Civil Actions Against the Police

Crime and Regulatory Law

Human Rights

Inquests/public inquiries

International Law

Prison Law

Public Law

Danny specialises in civil liberties within the criminal justice system, and has an extensive criminal defence practice focusing in particular on due process and human rights in all areas of serious crime.

His civil practice includes actions against state organisations that violate the rights of marginalised individuals and groups, and his public law practice includes crime, inquests and general civil liberties related judicial review.

In recent years, he has been involved in many of the major national security cases that have been contested before the Court of Appeal and House of Lords dealing with issues relating to administrative detention, admissibility of evidence from foreign state agents which is obtained by torture, control orders and deportation based on diplomatic assurances. He has appeared for the defence in a number of major criminal trials involving Islamist terrorist suspects, including most recently those acquitted of conspiring to cause the 7 July 2005 explosions in London. He has also acted for bereaved families in a number of right to life cases both in Strasbourg and in this country, including Keenan; Middleton; Harry Stanley; Wright and Bennett; and Hurst.

Danny has co-authored publications on inquest law, human rights law and criminal practice and pleadings, including Archbold and INQUESTS – A Practitioners Guide (LAG 2008).

In 2008, he was awarded the Chambers and Partners Junior of the Year award for Human Rights and Public and Administrative Law.

He is currently representing the family of the deceased and the surviving victims of UK army torture in the Baha Mousa Public Inquiry.

Notable Criminal Trials

[R v Waheed Ali, Kingston Crown Court 2009](#) Conspiracy to cause the 7 July London Bombings

[R v Shaffi, Woolwich Crown Court 2006](#) Conspiracy to cause terrorist explosions in East Coast cities of the United States of America

[R v Shariff and Ors, Central Criminal Court 2005](#) Sister of a suicide bomber in Tel Aviv accused of incitement and withholding information

[R v Bourgass and Ors, Central Criminal Court 2004](#) The Ricin Conspiracy to carry out poison and explosives attacks in London

Further Notable Cases

[Baha Mousa Public Inquiry](#) Currently acting as leading junior for the victims of torture of Iraqi civilians in Basra, Iraq

[SSHD v GG \[2010\] 2 WLR 731, CA](#) Common law right not to be subjected to search without statutory authority

Notable cases

[SSHD v Othman \[2009\] 2 WLR 512, HL](#) Deportation to unfair trial. Diplomatic assurances as a means of containing an accepted risk of torture in Jordan

[SSHD v AS and DD, The Times, April 16 2008, CA](#) Diplomatic assurances not sufficient to justify deportation to Libya

[Metropolitan Police v Hurst \[2007\] 2 AC 189, HL](#) Non-retrospectivity of HRA in relation to an inquest concerning a death before the Act came into force

[R v B \[2007\] HRLR 1, CA](#) Contempt of court act proceedings relating to high profile terrorist trials

[JJ v SSHD \[2006\] 3 WLR 866, CA](#) 18 hour curfew amounted to breach of Art 5 ECHR

[A and Ors \(No 2\) v SSHD \[2006\] 2 AC 221, HL](#) Inadmissibility of evidence obtained by torture under the Common law, ECHR and wider international law

[Inquest into the death of Terry Lloyd](#) ITN Journalist killed in Basra, Iraq at the start of the ground war

[Inquest into the death of James Miller](#) Film cameraman unlawfully killed by members of the Israeli Defence Force in Gaza

[Bowman v Fels \[2005\] 1 WLR 3083](#) Legal Professional privilege not overridden by the terms of section 359 of POCA 2002

[R v Choudhury \[2005\] EWCA Crim 1788](#) Abuse of process by HMCE drug liaison agents working in Pakistan

[Attorney General's reference \(N. 4 of 2002\) \[2005\] 2 AC 264, HL](#) Terrorist membership and reverse burden of proof

[R \(Middleton\) v West Yorkshire Coroner \[2004\] 2 AC 182](#) House of Lords case concerning available verdict where the authorities have failed to take reasonable action to prevent a suicide in custody

[Attorney General's reference \(N. 2 of 2001\) \[2004\] 2 AC 72, HL](#) Test case in the House of Lords outlining the point when a person is charged for the purposes of the reasonable time requirement under Article 6 and the available remedies for a breach of the right

[G v SSHD \[2004\] 1 WLR 1349](#) Dealing with the jurisdiction of the special Immigration Appeals Commission to grant bail to a detainee who has lost his appeal against his certification as a suspected international terrorist under Part IV of the Anti-Crime, Terrorism and Security Act 2001

[R v Benjafield \[2003\] 1 AC 1099, HL](#) Appeared for both appellants in the House of Lords which considered the compatibility of criminal confiscation procedures with Article 6 of the ECHR

[R \(Stanley\) v HM Coroner for Inner North London The Times, July 26, 2003](#) Judicial review establishing the key requirements of Article 2 of the ECHR in relation to fatal shootings by police officers

[R v Sargeant \[2003\] 1 AC 347, HL](#) House of Lords case concerning the use of unlawfully obtained evidence

[R v G \(Conspiracy to Cheat\) \[2002\] 1 WLR 200](#) Acted for the defendant (G) in this Court of Appeal case relating to the ambit of the interlocutory jurisdiction under s. 7 of the Criminal Justice Act 1967

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Notable Cases

[R \(Wright and Bennett\) v SSHD \[2002\] EHRLR 1](#) Order of the High Court for the Home Secretary to carry out a public inquiry into a death in custody pursuant to Article 2

[Attorney General's Reference No 3 of 2000 \[2001\] 1 WLR 2060](#) Appeared for acquitted person before the House of Lords in test case concerning the proper boundaries of police entrapment operations

[R v Offen \[2001\] 1 WLR 253](#) Appeared for Okwuegbunam in this mandatory sentencing case where O appealed against the imposition of an automatic life sentence in the light of Articles 3 and 5 of the ECHR

Cases before the ECHR

[A and Ors v UK \(2009\) 49 EHRR 29](#) Detention without trial - Article 5(1), 5(4) and 15

[Francis and O'Halloran v UK \(2008\) 46 EHRR 21](#) Speed cameras and the privilege against self-incrimination

[Kyprianous v Cyprus \(2007\) 44 EHRR 28](#) Contempt of court summary proceedings - Articles 6 and 10

[Keenan v UK \(2001\) 33 EHRR 38](#) Suicide of mentally ill prisoner while segregated in prison - engages Articles 2, 3 and 13

Selected Publications

Butterworths Guide to the Police Act (1998), co-author with Ben Emmerson QC

Inquests: A Practitioners Guide 2nd Edition (2008), co-author with Leslie Thomas and Louise Christian

Archbold Criminal Practice and Pleadings, contributing editor (Human Rights chapter)

Simor and Emmerson, *Human Rights Practice*, contributing editor (Article 2 chapter)

Emmerson and Ashworth, *Human Rights and Criminal Law* (2nd Edition), contributing editor (Chapters 4, 14 and 18)

Owen and Smith, *Asset Recovery*, contributing editor to 1st Edition (Introductory chapter)

"Torture and the Common Law" (2006) *EHRLR* Issue 2 180

"From Due Deference to Due Process: Human Rights Litigation in the Criminal Law" (2002) *EHRLR* Issue 2, 218

"The Human Rights Act and the Inquest Process" *Legal Action* (Nov 2001)

"Defending the Essence of the Right: Judicial Discretion and the Human Rights Act 1998" *Archbold News*, Issue 4 (May 2001)

"The Future of Covert Policing: Will it Rest in Peace?" *Archbold News*, Issues 8 & 9 (2000)

What the Directories Say

Chambers & Partners 2010 ranks Danny Friedman as a leading junior (band 1) in Civil Liberties; "*unswerving commitment and fierce intellect*". Also recommended as a leading junior in Crime and Admin and Public law.

Legal 500 2009/2010 recommended Danny Friedman in Human Rights and Civil Liberties and Crime and described him as combining "*exceptional intellectual abilities with a frightening capacity for hard work*".

Chambers and Partners 2009 recommend Danny Friedman as a leading junior in Admin and Public Law "*encyclopaedic knowledge of public law*", Civil Liberties "*Incredibly dedicated and exceptionally bright*" and Crime.

The Legal 500 2008/9 recommend Danny Friedman as a leading junior in Human Rights and Civil Liberties "*a powerful advocate, tenacious and fearless*".