



ANITA DAVIES

MAIN AREAS OF PRACTICE:

Civil Actions Against the Police
Crime and Regulatory
Extradition and Mutual Assistance
Fraud, Financial and Business
Crime
Human Rights Law
Inquests and Inquiries
Immigration and Asylum
Prison Law
Public Law

Called to the Bar 2011

CONTACT:

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Paul Venables, Senior Practice
Manager
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Anita practices in the areas of crime and regulation, public law, extradition and inquests and inquiries. She is often instructed in cases arising from different aspects of the criminal justice system (including initial investigation, arrest, trial, custody and release on licence) that span across these areas.

CRIME, REGULATION AND EXTRADITION

Anita advises on matters concerning fraud, financial regulation and bribery. She is currently assisting Raj Parker in his role as Independent Reviewer of FSA/FCA approach to the [Connaught Income Fund Series 1](#).

She has advised private clients on issues arising from several SFO investigations, and been instructed by the SFO. Recent instructions include:

- Advising a private individual on matters arising from the LIBOR investigation.
- Advising a multinational company in the context of an ongoing SFO investigation.
- Disclosure counsel for the SFO.

Anita prosecutes and defends in criminal matters. She defends in a range of criminal cases including fraud, robbery, handling stolen goods, assault, and criminal damage. She frequently acts in cases involving environmental and animal rights protests. Recent instructions include:

- Sole counsel in appeal regarding conspiracy to defraud.
- Defending a vulnerable client accused of assault while held in Yarl's Wood Detention Centre, acquittal (<https://www.theguardian.com/uk-news/2020/feb/11/woman-cleared-of-assaulting-nylons-wood-guards-during-struggle>)
- Junior counsel (led by Helen Law) in a six-week fraud trial, conspiracy to defraud involving carbon credits and diamonds.
- Sole counsel in a multi-count robbery and theft trial at the Central Criminal Court.
- Representing Extinction Rebellion activists following ongoing protests in 2018 and 2019.

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EDUCATION

BCL, Lady Margaret Hall
Oxford, Distinction

Bar Professional Training
Course, City Law School, Very
Competent

Graduate Diploma in Law, City
University, Distinction

BA (Hons) History, Churchill
College Cambridge

Anita has advised on appeals to the Court of Appeal and referrals to the Criminal Case Review Commission in a number of cases involving complex factual and expert evidence, including historic convictions for murder. Anita also advises on public law within the criminal context, including the judicial review of CPS and SFO decisions. Recent instructions include:

- Advice on judicial review against the SFO in confiscation proceedings.
- Advice on referral to the Court of Appeal following conviction on a joint enterprise basis for murder, arising from the impact of Jogee.
- Judicial review of the CCRC's refusal to refer the case of Eddie Gilfoyle to the Court of Appeal.
- Application to the CCRC regarding conviction for murder and conspiracy to rob.
- Advice on referral to the Court of Appeal of a conviction for murder, arising from concerns regarding cell site evidence and the competency of prosecution expert witnesses.
- Anita does regular extradition work, primarily on behalf of the CPS.

PUBLIC AND CIVIL LAW

Anita regularly acts in judicial reviews and civil claims arising from prison law, police law and immigration, in particular judicial reviews concerning re-categorisation, security classification, parole boards and unlawful detention. She has been instructed in four Supreme Court cases in the past four years.

Past cases include:

- *R (Akbar) v The Secretary of State for Justice* [2019] EWHC 3123 (Admin) (20 November 2019), led by Dan Squires QC, concerning the legality of the Prison Rules 1999 (SI 1999 No 728)
- *R (Centre for Advice on Individual Rights in Europe) v Secretary of State for the Home Department & Anor* [2018] EWCA Civ 2837, led by Dan Squires QC, concerning the legality of aspects of Operation Nexus.
- *AR v Chief Constable of Greater Manchester Police*, [2018] WLR 4079, led by Hugh Southey QC, on the correct approach of appellate courts to Article 8 in the context of enhanced criminal records checks.
- *Maguire v Northern Ireland Bar Council* UKSC [2018] UKSC 17, led by Aidan O'Neill QC, concerning the scope of Article 6 (3) and the right of a Defendant to be represented by a lawyer of his own choosing.
- *Human Rights Commission for Judicial Review (Northern Ireland : Abortion) (Rev 1)* [2018] UKSC 27 (7 June 2018), led by Helen Mountfield QC and Zoe Levanthal intervening on behalf of The United Nations Working Group on the Issue of Discrimination Against Women in Law and in Practice.
- *Heathrow Airport Ltd v Office of Rail & Road* [2017] EWHC 1290 (Admin), led by Rhodri Thompson QC and Nicholas Gibson, representing the Office of Road and Rail in a case regarding a challenge to the Heathrow Spur.

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- *R (Shindler and Anr) v Chancellor of the Duchy of Lancaster and Anr* UKSC 2016/0105, led by Aidan O'Neill QC and Christopher Brown, concerned the ban on British Citizens living outside the UK or more than 15 years voting in the EU Referendum.
- *Secretary of State for the Home Department v LW (Jamaica)* [2016] EWCA Civ 369, led by Samantha Knights QC, concerning the application of Article 8 to foreign national offenders.
- *BK & Anor v The Secretary of State for Justice* [2015] EWCA Civ 1259, led by Helen Mountfield QC, challenge to the policy of strip-searching female prisoners.

Anita often represents clients at Parole Board hearings, principally those involving issues around recall, as well as advising on matters regarding re-categorisation of prisoners. Recent instructions include:

- Securing release of a TACT prisoner following recall for breach of licence conditions.
- Securing release of a TACT prisoner following recall, after a two-day parole board hearing involving expert evidence regarding electronic tags.
- Judicial review of conditions added to licences without Parole Board approval.

Anita also has a growing environmental law practice and was instructed by Wild Justice in a successful challenge to the 2019 General Licences permitting the killing of wild birds. She continues to be instructed by Wild Justice in a number of on-going matters.

Anita has experience of claims against the police and the CPS under the HRA, the Equality Act, and for misfeasance and malicious prosecution. Recent instructions include:

- Successfully settling a claim against police following an unlawful intimate search.
- Successfully settling a claim against police following the assault, arrest and detention of a client.
- Successfully settling a claim against police following the arrest and detention of a vulnerable client.
- Successfully settling a claim against police regarding police "adding" activists to a kettle after transporting them from another location.

Anita is a contributor on public law procedure to the Lexis Nexis Civil Court Service "The Brown Book".

INQUESTS

Anita regularly undertakes inquest work involving deaths in prisons and secure hospitals, or following recent contact with police or social services. She frequently advises on matters regarding Article 2 compliant inquests and the nature of the Article 2 investigative duty. Recent cases include:

- *Inquest regarding the death of BAA*, represented the family in an Article 2 inquest following the death of a prisoner at HMP Downview. Jury narrative conclusion that removal to basic and perceived unfairness contributed to death.
- *Inquest concerning the death of HH*, represented the family in Article 2 inquest involving the death of vulnerable adult in private supported accommodation following discharge from mental health ward. Coroner concluded that care received within the accommodation insufficient.
- *Inquest concerning the death of OA*, Representing the family in Article 2 inquest involving the death of adult in police custody following arrest and ingestion of cocaine in police custody.
- *Inquest concerning the death of AB*, represented the family in a complex Article 2 inquest involving the death of a child subject to significant input from social services and CAMHS.
- *Inquest concerning the death of Karen Morris*, represented the family in an Article 2 jury inquest following the death of a prisoner from a drug overdose at HMP Foston Hall. The jury concluded that the system for dispensing medication at HMP Foston Hall was not sufficiently robust to prevent prisoners from hoarding medication.
- *Inquest concerning the death of MA*, represented the family in a complex multi-day Article 2 jury inquest following the death of a female patient at Rampton Hospital. The inquest had to be restarted twice following issues regarding the involvement of another patient and referral to the police and CPS. Jury concluded that the hospital had not carried out required observations.
- *Inquest concerning the death of G Pearson*, represented the family in an Article 2 inquest following the death of an individual following his release from police custody. Issues re. communication between police medical staff and social services and the extent of police training and powers when dealing with individuals with mental health needs.

Prior to starting at Matrix Anita read for the Bachelor of Civil Law at Oxford University (Distinction), specialising in criminal justice, comparative human rights and international law. Before joining the Bar Anita worked for the United Nations Relief Works Agency in Jerusalem.

ARTICLES AND DOWNLOADS

Books

- Civil Court Service 2019, contributor
- Helen Mountfield QC and Anita Davies, 'Human Rights Law' in Daniel Clarry (ed), *The UK Supreme Court Yearbook, Volume 9: 2017–2018 Legal Year* (Appellate Press 2019) 601.
- [UK Competition Law: The New Framework](#), contributor
- [Football and the Law](#), contributor

Blog posts

- Comment: [A change in approach from the CCRC?](#)

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- Case Comment: In the matter of an application by Siobhan McLaughlin for Judicial Review (Northern Ireland) [2018] UKSC 48
- [The UK Supreme Court Decision on Abortion in Northern Ireland: A Pyrrhic Defeat?](#)

Anita is regulated by the Bar Standards Board and accepts instruction under Standard Contractual Terms. To find out more information on the way we work at Matrix, including our fee transparency statement, please see our [service standards](#).