



## HELEN LAW

### MAIN AREAS OF PRACTICE:

Civil actions against the police  
Crime and regulatory  
Fraud, financial and business  
crime  
Human rights law  
International law  
Prison law  
Public law

Called to the Bar 2005

### CONTACT:

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Paul Venables, Senior Practice  
Manager  
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Consistently ranked in the Directories 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 in criminal matters and has experience of cases brought by the CPS Special Crime Division, the SFO, FSA and by private prosecutors. She is on the CPS Advocate Panel at Grade 2. Alongside trial work, she has a broad advisory and court practice, ranging from advising multinational corporations on complex international investigations pre-charge to taking Article 6/7 cases to the European Court of Human Rights after domestic avenues have been exhausted. She has been instructed in domestic cases from the magistrates and Crown Courts to the Court of Appeal and Supreme Court and in the Privy Council on pro bono mandatory life/death penalty appeals from Caribbean jurisdictions.

### Notable cases include:

- **Belhaj & Anor v DPP [2017] UKSC 33:** First decision on the application of closed material procedures under the Justice and Security Act 2013 to judicial review challenges to decisions not to prosecute, in the context of the DPP's decision not to prosecute a UK intelligence services officer for his alleged involvement in extraordinary rendition.
- **R v K, H & R (ongoing), Court of Appeal:** instructed with Tim Owen QC for the Appellants on an appeal against convictions for a substantial conspiracy to import Class A drugs where Prosecution evidence may have been obtained through the NSA's Prism programme.
- **Bhojwani v UK [2014] ECHR 364 (ongoing):** instructed with Tim Owen QC on an application to the ECHR concerning Article 6/7 in the context of a Jersey money laundering prosecution connected to the Nigerian Abacha regime.
- **FSA v Swallow (2012), Southwark CC:** 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 included in The Lawyer's Top 20 cases of 2012.
- **Assange v Swedish Judicial Authority [2012] 2 AC 471, Supreme Court:** instructed with Dinah Rose QC and Mark Summers for the appellant in his appeal to the Supreme Court against the decision to extradite him to Sweden.

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## DIRECTORIES' RECOMMENDATIONS

### HERE'S WHAT THEY SAY

"Helen is tenacious and very bright. She is keen to take on challenging cases and push at the boundaries of the law where appropriate" "She is persuasive, determined and gets excellent results." "Fantastic with clients, a real fighter and someone who is willing to push the boundaries of law. She adopts a sensible litigation strategy and is good at punching down the other side and identifying the pressure points in an opponent's case."  
Chambers & Partners, 2019

"A dream junior... Very professional and responsive. A joy to work with."  
Legal 500, 2018

"Very intelligent and thorough."  
"She is tenacious and very bright, she takes challenging cases and she's willing to push boundaries."  
"She has great judgement and is a very effective advocate. She can process a huge amount of documentation and evidence quickly and efficiently, and she is a lot of fun to work with." "She is an exceptionally bright and hard-working barrister who is an absolute pleasure to work with. She really adds value to a case."  
Chambers & Partners, 2018

"Benefits from a rare mix of experience in civil actions against criminal justice agencies and criminal law." "Instructed by corporates and individuals in fraud cases."  
Legal 500, 2017

"Fine junior with a varied caseload consisting of public, civil and criminal law." "An extremely thorough advocate and a brilliant tactician." "She is fantastic on the advice side and with clients, and is also excellent on her feet."  
Chambers & Partners, 2017

- **R v Roberts (2012), Northampton MC:** instructed to prosecute the first case for animal cruelty under the Animal Welfare Act 2006 concerning a circus elephant.
- **R v Moore (2012), Blackfriars CC:** led by David Bentley QC for the defendant in a £½m conspiracy to defraud and conspiracy to pervert the course of justice.
- **R v Lord Taylor (2011), Southwark CC:** instructed by the CPS Special Crime Division as sole counsel to prosecute the first trial concerning the Parliamentary expenses scandal.
- **R v Lord Hanningfield (2011), Southwark CC and Court of Appeal [2010] 2 Cr App R 394:** instructed by the CPS Special Crime Division with Clare Montgomery QC to prosecute in one of the Parliamentary expenses scandal cases.
- **Krishna v The State [2011] UKPC 18, Privy Council:** pro bono appeal led by Ed Fitzgerald QC concerning voir dices and accomplices, resulting in the quashing of the appellant's murder conviction after 27 years.
- **Campbell v The Queen [2010] UKPC 26, Privy Council:** pro bono appeal led by Julian Knowles QC which raised complex issues concerning the scope of the special leave jurisdiction and led to the quashing of the appellant's conviction for murder.
- **Robert Hamill Inquiry (2009):** junior counsel with Ben Emmerson QC for the Northern Irish Public Prosecution Service in a public inquiry concerning a sectarian murder and alleged collusion in the subsequent criminal investigation.

## PUBLIC LAW, HUMAN RIGHTS & PUBLIC INTERNATIONAL LAW

Helen is regularly instructed in both domestic and international cases across a wide range of forums, including the High Court (QBD and Admin), SIAC, the Investigatory Powers Tribunal, Court of Appeal (Civil and Criminal), Supreme Court, European Court of Human Rights and the International Court of Justice.

Domestically, she has particular expertise in public law claims with a criminal justice context, including decisions not to prosecute (especially in domestic violence and sexual abuse cases), the extent of the state's positive obligations when investigating crime, the improper use of covert surveillance and claims against state agents for conspiracy in rendition and torture.

In addition to her domestic experience, Helen has addressed the International Court of Justice in a genocide case and has been instructed in several cases before the European Court of Human Rights, including appearing as junior counsel in the leading decision on Article 1 jurisdiction.

- **Commissioner for Police of the Metropolis v DSD & Anor [2018] UKSC 11:** leading authority on extent and nature of the investigative duty under Article 3 HRA
- **Croatia v Serbia (ongoing), International Court of Justice:** on behalf of Croatia in its claim against Serbia under the Genocide Convention (with James Crawford SC, Philippe Sands QC and Kate Cook).
- **AKJ & Ors v Metropolitan Police Commissioner & Ors [2013] EWHC 32 (QB):** led by Heather Williams QC, concerning the legality of undercover police officers entering into sexual relationships with surveillance targets.

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- **CN v United Kingdom [2012] ECHR 1911:** led by Helen Mountfield QC, this was the first finding of violation of Article 4 ECHR against the United Kingdom concerning the failure to criminalise forced labour and domestic servitude.
- **Law Society v Lord Chancellor [2012] EWHC 794 (Admin):** led by Sam Grodzinski QC, concerning the legality of specific cuts to criminal legal aid in the magistrates' court.
- **Zatuliveter v Secretary of State for the Home Department (2011), Special Immigration Appeals Commission:** led by Tim Owen QC, acting for a Russian national working as a parliamentary assistant in London who was accused of espionage. The appellant succeeded in her appeal, which was the first espionage case ever heard by SIAC.
- **Al-Jedda v United Kingdom; Al-Skeini v United Kingdom (2011) 53 EHRR 18/23, Grand Chamber:** led by Rabinder Singh QC and Raza Husain QC, concerning Article 1 jurisdiction and the interrelation of Article 5 with Resolutions of the UN Security Council.
- **GC & C v Metropolitan Police Commissioner [2011] 1 WLR 1230, Supreme Court:** led by Karon Monaghan QC, concerning the lawfulness of the ongoing blanket policy of retaining samples of DNA from arrested persons.
- **CICA v 1st Tier Tribunal (2011), Upper Tribunal:** concerning the appropriate criminal injuries compensation for oral rape.
- **Al-Saadoon & Mufdhi v United Kingdom (2010) 51 EHRR:** led by Karon Monaghan QC, Ben Emmerson QC and Raza Husain QC, 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.
- **HJ (Iran), (HT) Cameroon [2010] 3 WLR 386, Supreme Court:** led by Karon Monaghan QC and Jessica Simor QC, concerning the correct approach to determining asylum claims based on sexuality.
- **E v SSHD [2008] 1 AC 499, House of Lords:** led by Ben Emmerson QC and Raza Husain QC, concerning the compatibility of anti-terrorism control orders with Articles 5 and 6.
- **Al-Marri v Spagone (2008), US Supreme Court:** led by Ben Emmerson QC and Alex Bailin QC, in a written intervention on behalf of the Commonwealth Lawyers Association and JUSTICE, concerning the executive military detention of a US resident.

## 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, misfeasance, 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 repeatedly obtained disclosure of unsubstantiated allegations of misconduct against police officers (e.g. **Murphy & Ors v Metropolitan Police [2012] EWHC 4123 (QB)**).

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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).

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