

# 2BR Spring Newsletter

## April 2021

- The Chambers of Brian Altman QC & Jim Sturman QC
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# QC Appointments

**Chambers offers its warmest congratulations to tenants Simon Baker QC and Allan Compton QC, sworn in as Queen's Counsel in March 2021.**

# Awards

Brian Altman QC featured in The Times shortly before Christmas as “Lawyer of the Week” for his work as lead Counsel to the Independent Inquiry into Child Sexual Abuse.

# Appointments

Christine Agnew QC has been appointed Leader of the South Eastern Circuit for 2021

The Serious Fraud Office appointed to its Panel of Counsel for 2021-2024:

- Alastair Smith (re-admitted to B Panel),
- Thomas Daniel (re-admitted to B Panel),
- Charlotte Brewer (admitted to B Panel)
- Natalie Bird (admitted to C Panel).

# New Tenants

- Chambers is delighted to announce that, on the successful completion of their pupillage, our 4 exceptional pupils have all accepted offers of a tenancy in chambers.
- Welcome to 2BR to Fred Batstone, Madeleine Deasy, Molly Dyas and Simeon Wallis. We are confident you will have brilliant careers at the Bar.

# Crime

- Jim Sturman QC acted for X in a successful appeal against a sentence of 34 months for the supply of Class A and Class B drugs. The sentence was reduced to 24 months on the basis that the Judge fixed the starting point too high, gave insufficient weight to the mitigation before applying the appropriate discount for a guilty plea, and also gave insufficient discount for the impact of Covid-19 on the particular appellant's time in prison.
- Stan Reiz QC, successfully represented a City solicitor charged with assaulting an emergency worker and criminal damage. The solicitor was accused of punching a police officer to the face and breaking his body worn camera. Following written representations being made to the Crown Prosecution Service on his behalf, the case before Nottingham Crown Court was discontinued.
- Christine Agnew QC and Chris Saad prosecuted Terence Glover who pleaded guilty to Manslaughter on the basis of diminished responsibility and 10 counts of attempted murder arising out of a hit and run incident outside Debden Park High School in Essex last December. He was represented by Louise Sweet QC and Kevin Toomey.

# Crime

- Allan Compton QC acted as leading counsel for the prosecution of a senior CPS Lawyer in a 3 month trial before Steyn J in Liverpool. The defendant, Scott Ainge, was convicted of 3 offences contrary to the Computer Misuse Act 1990. Following a separation from his wife (now a Deputy District Judge), the defendant accessed confidential material concerning her new partner, deploying it in divorce and child care proceedings. He was sentenced to five months' imprisonment, suspended for 18 months. He was also made the subject of a five year restraining order.
- Louise Sweet QC secured not guilty verdicts for a County Tyrone man facing four counts of Attempted Murder and Grievous Bodily Harm. The incident involved a violent attack by several men involving machetes and a slash hook. A man's neck was slashed who was fortunate to survive. Others now await sentence.

# Crime

- [Stan Reiz QC](#) was successful in a contested fitness to stand trial argument in a care home murder case.
- [Rhys Rosser](#), has successfully had proceedings discontinued against his 16 year old client 'T'. T was charged with Section 18 GBH.
- [Craig Rush](#), leading [Jonas Milner](#), secured the acquittal of their client in an attempted murder trial heard at the Old Bailey.
- [Anand Beharrylal QC](#) led in a successful appeal in a wrongful arrest and false imprisonment case against the Attorney General of Trinidad and Tobago for a then soldier of the Trinidad and Tobago Defence Force ('TTDF') who had been arrested and detained for kidnapping on Christmas Eve before being released late on Boxing Day without charge.
- [Harry Laidlaw](#) made a successful exceptional hardship argument at Taunton Magistrates' Court on behalf of the owner of a multi-million pound gym business. The defendant left Court able to drive but with 21 points endorsed on his licence.



# Business crime

- Howard Godfrey QC led for the defence of 'B' in the SFO prosecution for Conspiracy to Bribe arising out of the Iraq Oil contracts concerning Unaoil and Single Buoy Moorings (SBM).
- Quentin Hunt and Rhys Rosser were successful in discharging a POCA Account Freezing Order in a matter brought by the MHRA. Upon consideration of Quentin and Rhys's skeleton arguments the MHRA conceded their position and indicated that they did not oppose the discharge application. The application was granted by the Court – the company therefore received full and unfettered access to its banking facilities.
- Jim Sturman QC, instructed by Matthew Bosworth of Russell-Cooke, successfully overturned a Moratorium Extension Order granted under section 336A of POCA 2002.

# Post Office 'Horizon' Appeals

2 Bedford Row's Brian Altman QC, Simon Baker QC, Jacqueline Carey, Charlotte Brewer and Helen Jones, instructed by Nick Vamos and Hannah Laming of Peters & Peters, appeared on behalf of Post Office Ltd in the Court of Appeal Criminal Division, in relation to the 42 cases referred by the Criminal Cases Review Commission (CCRC) in what was the largest conjoined appeal ever heard by the Court of Appeal Criminal Division.

The appeals all related to individuals who had been prosecuted by the Royal Mail Group and post-2012 by Post Office Ltd between 2000 and 2013 relying on evidence from the Horizon accounting system which has since been found to suffer from bugs, errors and defects.

Leading a team of over 60 review counsel (including many from 2 Bedford Row), the counsel team oversaw an enormous post-conviction disclosure review exercise (with over 4 million documents subjected to review and substantially over 300,000 pages of material disclosed) to enable the Appellants to advance their appeals.

Following advice from the counsel team, the appeals of 39 of the 42 Appellants were conceded on grounds of limb one abuse of process (with four of those 39 appeals conceded on grounds of both limb one and limb two abuse of process). Three of the 42 appeals were opposed on all grounds.

The counsel team have also been advising the Post Office on the reviews of hundreds of further convictions in cases prosecuted by Royal Mail Group and the Post Office since 2000.

# Health and Safety

- Shauna Ritchie successfully prosecuted tool and plant hire firm M&J Engineers Ltd at Peterborough Nightingale Court for a breach of s.2 HSWA arising out of an incident in which a mobile crane toppled whilst attempting a lifting operation, injuring both the crane driver and a teenage apprentice, who narrowly avoided being struck by the boom when he jumped clear off the roof of a portakabin. The company was fined £220k.
- Alex Stein and Eleanor Sanderson acted in a seven-week trial in Peterborough Crown Court spanning the November lockdown, defending a recycling and refuse collection company prosecuted by a local authority. They successfully argued that the LA's powers of enforcement were limited to breaches occurring within the geographical area of the local authority.
- Craig Rush acted on behalf of the Care Quality Commission in a prosecution of a charitable trust following the death of a resident in a care home.

# Health and Safety

- Andrew McGee and Eleanor Sanderson co-defended subsidiaries of a leading infrastructure services and engineering company charged with section 2 and 3 HSWA breaches following a workplace fatality, securing sentence on a non-causative basis for one defendant, and the acquittal of all charges in respect of the other;
- The 2 Bedford Row Health and Safety Team hosted a virtual seminar and drinks event for professional clients in March, featuring three express seminars by Austin Stoton, Eleanor Sanderson and Shauna Ritchie on the proposed Building Safety Legislation, the effect of the Maughan Supreme Court decision, and an updater in trialing in Covid and Nightingale Courts.

# Professional Disciplinary and Regulatory

- Natalie Bird appeared for an optometrist who admitted to slashing the tyres of a car which, unbeknownst to him, happened to belong to his Practice Manager. He denied responsibility when confronted, which he admitted was dishonest. Natalie persuaded the GOC's Fitness to Practice Committee that the optometrist's fitness to practise was not impaired, meaning that no sanction was imposed
- David Patience presented on behalf of the UKCP in relation in which it was alleged the registrant had breached professional boundaries over a 16-year period. The Committee imposed an order of conditions on the registrant.

# Sports Law



- [Jim Sturman QC](#) acts for 5 players from Rangers FC in case involving breach of SFA Rules in relation to Covid 19.
- [Chris Saad](#) has been appointed to Sport Resolutions' Panel of Arbitrators and Mediators. Chris has been appointed to the arbitration and safeguarding categories of membership, effective from 1st April 2021.

# Privy Council Appeal

[Anand Beharrylal QC](#) was instructed in a property law appeal relating to a mentally vulnerable respondent mother and her children who were fraudulently induced into signing a deed of conveyance for their family home in favour of a doctor with the assistance of his attorney. The respondents were co-owners of freehold land with a family home which had been inherited. Shortly after the inheritance the respondent mother was approached by a doctor, who had treated her and was also then employing her, with a view to purchasing the property. Eventually the mother acceded to the doctor's approaches and the respondents all signed a deed of conveyance in his favour. The respondents subsequently issued a claim seeking inter alia to recover the property essentially on the basis of equitable fraud, which succeeded at trial and on appeal. The appellant doctor appealed to the Privy Council arguing that the trial judge made errors in assessing the inherent probabilities, the facts found and inferences drawn. Anand led Zeik Ashraph, Krishendath Neebar, Haresh Ramnath and [Simeon Wallis](#) in successfully arguing in the respondent's written case that in light of the concurrent findings of facts by the courts below the appeal should be dismissed. They were instructed by Alvin Pariagsingh (Trinidad).

# Seminars and Talks: Recent Events

- Sam Thomas chaired a seminar on behalf of the Association of Regulatory and Disciplinary Lawyers (ARDL). The seminar was “An introduction to Sports Law”. Chris Saad featured as a guest speaker.
- Hosted by Circuit Leader Christine Agnew QC, the 2 Bedford Row Health and Safety Team held a virtual seminar and drinks event for professional clients, featuring three express seminars on the forthcoming Building Safety Legislation (Austin Stoton), the effect of the Maughan Supreme Court decision (Eleanor Sanderson), and an updater in trialing in Covid and Nightingale Courts (Shauna Ritchie), followed by discussion and drinks.
- Mark Milliken-Smith QC, Angelo Power and Rhys Rosser held a firearms seminar earlier this month with guest speakers William Clegg QC and firearms experts Angela Shaw and Mark Mastaglio



# Seminars and Talks: Upcoming

- Upcoming: Jimmy Floyd Hasselbaink will be joining Jim Sturman QC and Chris Saad to discuss Discrimination in Football. The live webinar will be held on 13<sup>th</sup> May at 1800. Spaces are limited. Please email [prodgers@2bedfordrow.co.uk](mailto:prodgers@2bedfordrow.co.uk) to register your interest in attending.
- Upcoming: seminar discussing the Modern Slavery Act 2015 and the National Referral Mechanism, Rhys Rosser will be speaking along with an expert panel on 21<sup>st</sup> April at 1815. For further details, please see our website.
- Upcoming: Chambers' current pupil Alex Davidson will speak at the W.G. Hart Legal Workshop 2021. The year's workshop is titled 'New Perspectives on Jurisdiction and the Criminal Law' and will be held from 26th to 28th April 2021. Alex will deliver a talk on the extraterritoriality of search and seizure powers. Booking for the event is currently open.

# Recent Articles

- Jim Sturman QC: on online racism in football;
- Sam Thomas: on practical advice for secure home working (Counsel Magazine);
- Rhys Rosser: on changes to determination or role, starting points and the approach to psychoactive substances;
- Alex Stein: on defined benefit pension schemes new criminal offences and investigative powers.

# Chambers New Initiatives

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## Mini Pupillage Workshops

Chambers recently hosted a four-part series of remote workshops to assist those who had been successful in obtaining mini pupillages but had been unable to complete them due to the pandemic. The sessions were headed by a panel made up of silks, senior and junior tenants in addition to current pupils and covered topics such as pupillage applications, the 'dos and don'ts' of pupillage and life at the Bar. A total of 86 future mini-pupils took part in the workshops.

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## Chambers Green Initiative

2 Bedford Row is proud to have joined the Bar Sustainability Network launched by the Bar Council, which supports Chambers, Inns and legal support organisations to act on their climate impacts today. Membership also incorporates the Bar Renewables Pledge, by which members commit to switching to 100% renewable electricity for all their UK premises as soon as possible, or by 2025 at the latest.

# Clerks

- We welcome Lisa Pavlovsky as our new Chambers Manager. We wish her a long and happy stay with us.
- Chambers has also received thanks from many sources citing the sterling efforts our clerks have made to go above and beyond the call of duty during the pandemic. We are very grateful for their efforts.

# Recruitment

- 2 Bedford Row is pleased to be recruiting.
- Chambers is recruiting exceptional candidates across all areas of Chambers' practice and will consider applications in all call brackets including silk. Chambers is a long established and highly successful set with an outstanding reputation in all areas, including financial and business crime, serious crime (both prosecuting and defending), regulatory and disciplinary, health and safety, healthcare, sports law, environmental, inquests and public inquiries. See Chambers' website's 'Practice Areas' for a full list. Chambers intends to supplement our existing strong teams and applications are invited from exceptional candidates with strong and self-sustained practices.
- CVs to [Brian Altman Q.C.](#) and [Jim Sturman QC](#) at [recruitment@2bedfordrow.co.uk](mailto:recruitment@2bedfordrow.co.uk) with a covering letter outlining their reasons for applying to Chambers, their aspirations for their future practice and their commitment to a future in independent practice at the Bar. Chambers will treat all applications in the strictest confidence and is committed to offering equal opportunities to candidates from diverse backgrounds.