



Alex Davidson

Call 2020

Alex's practice primarily encompasses general crime, financial crime, and proceeds of crime work. In addition to being an experienced criminal trial advocate, Alex has expertise in advising on and providing representation in civil and public law proceedings.

Prior to coming to the Bar, Alex was a lawyer at the Law Commission of England and Wales. He was responsible for writing the Law Commission's search warrants report, several of the recommendations in which were implemented through amendments to the Criminal Procedure Rules. Alex also contributed to the Law Commission's reviews of confiscation; anti-money laundering; official secrets legislation; misconduct in public office; online communication offences; and sentencing, which led to the enactment of the Sentencing Act 2020. Alongside working at the Law Commission, Alex was a teaching associate in jurisprudence and legal theory at Queen Mary University of London.

Alex contributes to Blackstone's Criminal Practice, giving him a breadth of knowledge in criminal law, evidence, and procedure. He has authored articles and case commentaries in leading publications, produced material for the Judicial College, and is currently writing a practitioners' text to be published by Oxford University Press on investigatory powers. Alex has delivered talks at legal conferences as well as to the legal profession, medical profession, media organisations, and government departments.

Alex has worked in an advisory capacity to several organisations. He spent time seconded to the National Crime Agency where he advised and represented the agency in relation to complex criminal investigations and civil recovery matters. He was recently appointed as junior counsel to the Independent Review of Disclosure and Fraud Offences. He has advised UK government departments in relation to terrorism legislation, and the United Nations in connection with terrorism and money laundering investigations. He is also a legal adviser to the All-Party Parliamentary Group on War Crimes, assisting with its work on the Rwandan Genocide.

Alex also worked as a paralegal at Corker Binning where he assisted with cases spanning international corruption, fraud, extradition, and regulatory investigations. These included working on the biggest FCA insider dealing case to date (Operation Tabernula), the biggest HMRC direct tax fraud case to date (Operation Amazon), the SFO's international corruption investigation into Alstom, and the FCA's regulatory investigation into Forex manipulation.

Practice Areas

General Crime

Alex advises and represents individuals, corporates, and prosecution agencies in all manner of criminal proceedings. He has experience across the spectrum of criminal offences, including murder, serious violence, fraud and financial crime, drug offences, and sexual offences. Alex also has experience in dealing with civil orders connected to criminal proceedings. His expertise in investigatory powers makes him well placed to advise at the early stages of criminal proceedings.

Recent cases include:

- Murder trial where the client was acquitted of murder and sentenced to 7.5 years for manslaughter (junior counsel).
- Conspiracy to supply class A drugs trial where the client was acquitted of all counts.
- Sexual assault trial where the client was acquitted of all counts.
- Attempted dwelling burglary trial where the court acceded to a submission of no case to answer.
- Actual bodily harm trial where the court acceded to a submission of no case to answer.
- Assaulting an emergency worker trial where the court acceded to a submission of no case to answer.
- Resisting a constable in the execution of his duty trial where the court acceded to a submission of no case to answer.
- Possession of a bladed article trial where the court acceded to a submission of no case to answer.
- Stalking trial where the court acceded to a submission of no case to answer.
- Instructed as junior counsel on behalf of the Post Office in relation to potential appeals of sub-postmasters prosecuted between 2000 and 2013 in cases relying upon evidence from the Horizon computer system.

Alex also has expertise in representing individuals charged with road traffic offences, including cases which feature technical arguments and expert evidence. Alex's clients have included sporting figures and high net-worth individuals. Recent road traffic cases include:

- Driving whilst unfit trial where the court acceded to a submission of no case to answer.
- Failing to provide an evidential sample of breath trial where the Crown offered no evidence. Alex made a successful section 78 of PACE application to exclude the evidence of the defendant failing to provide a sample of breath on the ground that the police breached his right to legal advice under section 58 of PACE as the police ought to have delayed the breath test procedure to enable him to consult with a solicitor.
- Drink driving trial where the defendant was acquitted. The court was persuaded that the reading was caused by post-driving alcohol consumption, thereby rebutting the statutory assumption under section 15(2) of the Road Traffic Offenders Act 1988.
- Successfully arguing special reasons on behalf of a businessman who pleaded guilty to offences of driving whilst uninsured and permitting another to drive whilst uninsured. No points were endorsed on his licence and disqualification was avoided.
- Successfully arguing exceptional hardship on behalf of an individual for whom a finding of exceptional hardship had been found only three months earlier.

Fraud and Financial Crime

Alex advises and represents individuals, corporates, and prosecuting authorities in a broad range of fraud and financial crime matters. Recent cases include:

- Represented an individual charged with fraud by false representation where the Crown offered no evidence after issues relating to the provenance and continuity of evidence were highlighted.
- Advised and represented the NCA in relation to a high-profile international money laundering investigation.
- Represented individuals involved in a £104m money laundering operation where cash was transported from the UK to Dubai, both of whom were given suspended sentences and confiscation orders agreed below £10,000 (Operation Brightly).
- Represented an individual charged with multiple counts of fraud and money laundering relating to a multimillion-pound investment fraud involving share options.

Alex spent time seconded to the NCA where he advised the agency in relation to complex, multi-jurisdictional, and high-profile financial crime investigations. Prior to coming to the Bar, Alex worked at a leading criminal defence firm on criminal and regulatory cases brought by the SFO, FCA, and HMRC. His expertise in fraud and financial crime led to his appointment as junior counsel to the Independent Review of Disclosure and Fraud Offences.

Alex contributed to numerous financial crime-related law reform projects as a lawyer at the Law Commission. He regularly writes case reports for the Criminal Law Review and Lloyd's Law Reports: Financial Crime, with recent topics including fraud offences, corporate criminal liability, private prosecutions, confiscation, unexplained wealth orders, deferred prosecution agreements, and investigatory powers. He also provided legal research for the latest edition of Insider Dealing: Law and Practice (Oxford University Press, 2020).

Confiscation

Alex provides advice and representation at all stages of confiscation proceedings and in relation to associated restraint matters. Recent cases include:

- Represented a company against whom confiscation was sought following guilty pleas to numerous environmental offences.
- Represented an individual during confiscation proceedings following his conviction for several fraud offences which featured losses totalling £440,000. The criminal lifestyle provisions were not applied and the benefit figure determined was considerably below the alleged value of the fraud offences.
- Represented the Crown in a two-day contested confiscation hearing. The criminal lifestyle provisions were applied and a confiscation order was made in the full amount contended for by the Crown.

Alex has a detailed knowledge of the confiscation regime from working on the Law Commission's confiscation project. He has written case reports and commentary on recent confiscation cases.

Civil Asset Recovery & Forfeiture

Alex has expertise in advising and representing persons in a broad range of civil recovery matters. Recent cases include:

- Advised and represented the NCA in relation to multiple frozen funds and detained cash investigations involving sanctioned individuals. Alex successfully represented the NCA when applying for account freezing orders and orders for the continued detention of seized cash during the course of these investigations.

- **R (NCA) v Westminster Magistrates' Court [2022] EWHC 2631 (Admin):** Represented the NCA as junior counsel in judicial review proceedings concerning account freezing orders relating to a sanctioned Russian businessman.
- Represented the NCA in an account forfeiture application that recovered over £450,000 from the accounts of an individual offering unregulated investments and loans.
- Represented the NCA in account forfeiture proceedings concerning over £1,000,000 connected to international fraud.
- Represented the NCA in a cash forfeiture application that recovered over £100,000 linked to fraud and money laundering.

Alex spent time on secondment to the NCA where he advised the agency on the full range civil recovery matters, including High Court civil recovery orders, property freezing orders, account freezing and forfeiture orders, unexplained wealth orders, and investigatory powers. Alex has also written case reports and legal commentaries on civil recovery powers.

Extradition and Mutual Assistance

Alex accepts instructions relating to extradition and mutual assistance.

Alex provides case law and legislation updates to the extradition section of Blackstone's Criminal Practice. In 2020, he won the John RWD Jones QC Extradition Essay Competition with an essay examining the human rights issues that arise in the context of extradition requests from category 2 territories.

Judicial Review

Alex has experience in both bringing and defending in judicial review proceedings. Recent cases include:

R (NCA) v Westminster Magistrates' Court [2022] EWHC 2631 (Admin):

Represented the NCA as junior counsel in judicial review proceedings concerning account freezing orders relating to a sanctioned Russian businessman.

Public Inquiries

Alex is currently assisting with the Post Office Horizon IT Inquiry.

Sanctions

Alex accepts instructions relating to financial and other sanctions. His experience in this area stems from his ongoing work advising and representing the NCA in proceedings involving domestic and international sanctions regimes.

Publications

- CPS General Crime Panel Level 2

- CPS Specialist Fraud Panel Level 2
- CPS Specialist POCA Panel Level 2

Memberships

- Young Fraud Lawyers Association
- Defence Extradition Lawyers Forum

Education

- BPTC (Outstanding), City Law School
- LLB (Hons), Queen Mary University of London

Awards

- British Academy of Forensic Sciences Prize for the highest BPTC mark in Advanced Criminal Litigation, City Law School (2021)
- John RWD Jones QC Extradition Essay Competition Winner (2020)
- Buchanan Prize, Lincoln's Inn (2020)
- Sir Louis Gluckstein Advocacy Prize, Lincoln's Inn (2019)
- Lord Denning Scholarship, Lincoln's Inn (2018)
- Hardwicke Entrance Award, Lincoln's Inn (2016)