

## Hugh Davies OBE QC



Call: 1990

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BARRISTERS



### Details of practice

Hugh Davies QC's principal areas of specialisation are criminal law (including fraud and corporate regulation); police complaints, misconduct and public regulation; inquests; public inquiries; professional misconduct proceedings; the regulation of child protection in institutions; and claims for judicial review arising in each of these areas.

Recent SFO cases include the defence of the most senior US-based Barclays trader accused of manipulating the \$Libor rate.

He has extensive experience of prosecuting and defending serious crime of all types, including leading multi-handed prosecutions involving serious organised crime investigated by national policing agencies. He has been at the forefront of criminal proceedings involving cybercrime.

In relation to professional misconduct, the nature and extent of his work as to the actions and accountability of police forces and police officers, including defending charges of manslaughter, corruption, attempts to pervert the course of justice, and misconduct in public office, is reflected in the comments made by national directories. He has extensive experience advising and representing police officers at public inquiries; inquests; during IPCC investigations; internal disciplinary proceedings; and associated judicial review proceedings, and is co-author of the leading OUP practitioner textbook *Police Misconduct, Complaints, and Public Regulation* (second edition 2017).

Other professional misconduct work includes proceedings against medical practitioners arising from alleged clinical negligence. This reflects extensive experience of mastering subject matter relating to pathology, clinical norms and causation from the criminal and coronial jurisdictions.

He was Chambers and Partners professional discipline junior of the year in 2009, and QC of the year in 2016.

He was instructed as Counsel to the Inquest into the death of Alexander Litvinenko, the Russian former KGB officer allegedly poisoned by polonium 210 in London in 2006.

In 2011 he was awarded an OBE for services to children and young people reflecting his role as voluntary legal adviser to the Child Exploitation and Online Protection Centre (CEOP). In 2013 he was lead author of an ACPO commissioned multi-specialist report that resulted in the Government enacting legislative reform of the sexual civil prevention order regime in the Anti-Social Behaviour Crime and Policing Act 2014. He advises institutions as to safeguarding responsibilities and performance.

### Directory recommendations

**He is ranked in Band 2 of Chambers and Partners UK Guide in each of crime, inquests and professional discipline.**

Under **crime**, in 2017 the directory reports '*He has an exceptional knowledge of the niche area of cybercrime; very, very classy and very, very calm; and if it is a high-profile, demanding case with a high-profile, demanding client, then Hugh Davies is the one you would turn to.*'

Under **inquests**, the 2017 directory reports he is '*A highly popular choice for politically-charged inquests; ... extremely intelligent and his technical knowledge is first class; and ... able to absorb huge amounts of detail and knows the case inside out before it's even started.*' The Legal 500 2017 says '*His knowledge of Article 2 inquests is unparalleled and his guidance is unquestionable.*' Earlier Chambers and Partners directories say '*He is very intelligent, he communicates well with solicitors and he has an eloquent and forensic style to his advocacy; His manner with clients is excellent; he breaks down any perceived boundaries and places them at ease in stressful situations; He is incredibly thorough. He knows every page that is necessary and he is a very good strategist; and The man for the most serious cases. His analytical and forensic approach to cases is unmatched.*'

Under **professional discipline**, the 2017 Chambers and Partners directory says '*He is one of the best in the business in the field of police discipline and is often involved in the most serious and complex cases; and If it's a high-profile, demanding case he's a go-to because there are so many strings to his bow*' and in 2016 as '*... standout, top-flight and very experienced.*'

## Education/professional qualifications

Reading School  
Pembroke College, Oxford (BA(Hons) Jurisprudence, Domus Scholar)  
University of Oxford Winter Williams Prize in Law, 1988  
Lincoln's Inn, Walter Wigglesworth Major Scholar, 1990

## Appointments

Queen's Counsel 2013

## Publications

*Review of Civil Prevention Orders under the Sexual Offences Act 2003*: Lead Author May 2013. This report was commissioned by the ACPO Child Protection and Abuse Investigation Working Group and resulted in legislative reform under the Anti-Social Crime and Behaviour Act 2014.

*Police Misconduct, Complaints, and Public Regulation*, Oxford University Press, publication July 2009. A comprehensive practitioners' text book, co-written with John Beggs QC, covering the national organisation of policing; the IPCC; chief officer appointment and removal; police performance and misconduct regulations 1999-2008; internal reviews and appeals; Police Appeals Tribunals; abuse of process; inquests; and police related criminal offending.

Mr Justice Burnett's review states:

"John Beggs QC and Hugh Davies have brought together the detail of all the relevant law into one comprehensive volume and provided a readily understandable commentary on all of its major aspects. This book deals succinctly with the criminal offences with which police officers may be charged in connection with their duties. The section on Coroners' Inquests provides an impressive précis of law and procedure as it affects deaths for which the police may be responsible. The disciplinary chapters explain the processes and then provide the texts of all the material statutory instruments. This work will be an invaluable guide to any practitioner concerned with any aspect of Police behaviour. To have all the material in one place will save hours of work. This work is something of a trail-blazer in the disciplinary field. It will not be long before similar works appear dealing with other professions."

### Lectures

Regular delivery of training to other professionals, the judiciary and the police in the areas of expertise listed above.

## Other information

Member of:

Fraud Lawyers Association  
Criminal Bar Association  
Association of Regulatory and Disciplinary Lawyers

## Direct access

Hugh Davies is qualified to accept instructions direct from clients under the Bar Council's Public Access Scheme. This means that members of the public who seek specialist advice can come direct to him. In addition, he welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's Licensed Access Scheme.

For further information please contact our Clerks.

## Notable cases

Against a wider background of prosecuting and defending many allegations of serious crime, including murder, manslaughter, rape and blackmail, cases include:

Prosecuting:

### **R v Lincoln White & Others**

Led NCS prosecution of 12 defendants accused of £170m international crack cocaine conspiracy. All 12 convicted, with "Mr Average" Lincoln White receiving 25 years' imprisonment. Two others were subject to historic extradition proceedings from Jamaica

### **Operation Opaque**

Leading pending 24 handed prosecution alleging industrial scale cannabis cultivation across the UK by organised criminal network

**Jonathan Vai**

Prosecution of a man for grooming a child, the first under section 15 of the Sexual Offences Act 2003

**Sandra Mujuru**

Prosecution of mother for allowing the death of her child at the hands of a violent babysitter partner, the first under section 5 of the Domestic Violence, Crime and Victims Act 2003

**Operation Alpine**

Prosecuting "ground-breaking" international conspiracy to distribute indecent photographs of children through commercial internet newsgroups

**GhostMarket**

Prosecution of four individuals responsible for extraordinary internet forum dedicated to fraud

**Ryan Cleary and others**

Prosecution of Cleary and others in relation to widely publicised alleged offending through the international LulzSec group, requiring close co-operation with concurrent US proceedings

**John Beach**

Led defence of man accused of organising two airside robberies at Heathrow airport, the first yielding nearly £5m, the second targeting £35m of gold bullion

**Fraud**

Substantial confidential advisory work for City-based proceedings

**Barclays \$Libor**

Defending senior New York based Barclays trader

**R v Dougall and others**

Junior counsel (to John Kelsey-Fry QC) for SFO in relation to proceedings arising from corporate corruption quantified at £40m in the Greek orthopaedic market by Johnson and Johnson

**Michael Wilson-Smith**

(reported as **R v G, R v B**)

Junior counsel for defence of solicitor in alleged £80m fraud (as reported, the case collapsed in consequence of disclosure errors by SFO)

**Frank Warren**

Junior counsel for boxing promoter accused of substantial VAT fraud

**Public Inquiries**

**Alexander Litvinenko** (as Counsel to the Inquiry)

**Anthony Grainger** (on behalf of the police officer responsible for the fatal shot)

**Police**

[Representing the individual officers unless otherwise stated]

Recent judicial reviews include those challenging the IPCC as to its powers under Schedule 3 of the PRA 2002 (**IPCC v West Yorkshire Police (Armstrong)**; **Mackaill and others** (the 'Plebgate' Police Federation representatives) **v IPCC**); **PC Andrew Birks** (challenge to suspension of officer with proven intention to become vicar); **WYP v IPCC (Armstrong)** (challenge to power of IPCC investigation reports to determine civil or criminal liability); **Chief Executive of IPCC v IPCC** (IPCC seeking to quash its investigation report into death of Jordan Begley following use of taser, representing affected officers: judgment pending); and **David Crompton v Police and Crime Commissioner for South Yorkshire Police** (challenge by former chief constable to decision by PCC under section 39 to require him to resign: pending)

Misconduct cases include:

**DCI White and DS Bennett**

Officers accused of unlawful bugging of privileged conversations in Lincolnshire police stations (misconduct, judicial review)

**Tania Moore, deceased**

Police misconduct proceedings arising from failures preceding the murder of Ms Moore (Derbyshire Fed: misconduct)

**PS Andrew Hickinbottom**

Officer accused of manslaughter of heroin addict having authorised her release at roadside near Grimsby (crime (led); misconduct)

**Operation Calico**

Senior Lancashire police officers accused of improper private purchase of covert cars when decommissioned

**Operation Kalmia**

Investigation into conduct of police officers at ranks up to chief officer arising from the murder of Kevin Nunes

## Inquests

Include:

### **Shooting of Yassar Yaqub on the M62**

#### **The Birmingham Pub Bombings**

##### **Anthony Grainger**

Instructed to represent the firearms officer responsible for shooting the deceased (now a public inquiry)

##### **Jordan Begley**

Representing individual officers, including the taser officer, in circumstances where Mr Begley died following discharge of a taser

##### **Alexander Litvinenko**

Counsel to the Inquest

##### **Colin Berry**

Deceased died from a gunshot wound during a police entry and search of his home address (West Yorkshire)

##### **Kingsley Burrell**

Representing individual officers responsible for restraining Mr Burrell when he was demonstrating acute behavioural disturbance in a psychiatric hospital

##### **Alistair James Bell**

Instructed by West Yorkshire Police to represent all officers at inquest following fatal shooting of Mr Bell during containment. Bell discharged some 34 rounds at these officers, some of which were unarmed and hit whilst retreating

##### **Flt Lt Cunningham**

Instructed by Lincolnshire Police in relation to the fatal ejection of a Red Arrows pilot

##### **Reece Staples**

Misconduct and pending inquest proceedings arising from the death in custody of Reece Staples following cocaine overdose

##### **Raoul Moat**

Instructed on behalf of West Yorkshire Police taser officers

##### **Mark Saunders**

Junior counsel for widow of Mark Saunders, the barrister shot by police in Markham Square, Chelsea

##### **7/7 London bombings inquests**

One of team of four counsel instructed by the MPS

##### **Paul Coker**

Representing 13 officers at the 6 week inquest into the death of Paul Coker at Plumstead police station (MPS Fed: inquest, misconduct, judicial review)

##### **Peter Connelly**

Instructed as leading counsel by the MPS to argue against the resumption of the inquest into the death of Peter Connelly (previously referred to as "Baby P")

##### **Colette Lynch**

Officer accused of misconduct arising from the circumstances preceding the murder of Colette Lynch, in the first (and only) public discipline hearing directed by the IPCC, and subsequently appeared for various officers at the associated subsequent 10 week inquest (Warwickshire Fed: leading counsel)

##### **Michael Powell**

Represented the senior police officer in relation to misconduct in public office charges arising from the controversial death of Michael Powell in Birmingham (trial 2006), and 10 officers at the associated 6 week inquest and various judicial review proceedings (West Midlands Fed: crime, misconduct, judicial reviews, inquest)

##### **Jean Charles de Menezes**

21 surveillance officers at the inquest and associated judicial review proceedings (MPS Fed: inquest, judicial review; led)

##### **Simon Murden**

Police inspector that authorised deployment of a firearms team to A63 near Humber Bridge resulting in fatal shooting (Humberside Fed: 6 week inquest)

##### **Roger Sylvester**

Represented eight MPS officers from outset of proceedings, at inquest and through to successful judicial review of inquest verdict of unlawful killing (MPS Fed: reported as *Anderson and others*; led)

## Child protection

Independent Review into the criminal conduct of William Vahey at Southbank International School