

Matthew Butt



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Details of practice

Recommended by **Chambers UK 2018** and **The Legal 500 2017** in five practice areas. Nominated as Criminal Junior of the Year at the 2017 Chambers Bar Awards.

Described by **Chambers UK** as "*a fabulous advocate who prepares his cases superbly, and has good public law knowledge*" and by **The Legal 500** as "*a very intelligent and extremely skilled advocate.*" Matthew is a leading barrister with experience of high profile cases across chambers' practice areas.

He is recommended as a leading barrister in crime, licensing, extradition, professional discipline and inquests and inquiries by **The Legal 500 and Chambers UK**.

Featured in the Times as Lawyer of the Week in October 2016.

Crime:

Recent instructions include allegations of war crimes, murder, kidnap, rape, fatal industrial accidents and serious fraud. Matthew has been appointed to the CPS "rape panel" and the Attorney General's B Panel for Health and Safety prosecutions. Matthew recently successfully defended Colonel Kumar Lama at the Old Bailey in a universal jurisdiction trial relating to alleged torture of Maoist prisoners during the Nepalese Civil War. He was the lead defence counsel at the trial.

Matthew is an expert in bringing and defending private prosecutions. He successfully defended a number of high profile political figures including then Home Secretary Jacqui Smith and the London Mayor Sadiq Khan in private criminal cases. He has appeared in a number of cases in the High Court and the Court of Appeal concerning the right to bring private prosecutions.

Inquests and Inquiries:

Matthew is ranked as a leading barrister in inquests and inquiries by The Legal 500 and Chambers UK. He is frequently instructed on behalf of families and other properly interested parties in coroner's inquests and public inquiries. Matthew is representing former undercover police officer Mark Kennedy in the Undercover Policing Inquiry currently chaired by Sir John Mitting.

Fatal Shootings and Firearms:

Noted in The Legal 500 2015 as '*A specialist on the finer points of firearms law.*' Matthew has expertise in the command and control of the most dangerous police firearms operations, and has appeared in most of the recent high profile police shooting cases. Matthew represented the Trident Tactical Firearms Commander in the Mark Duggan Inquest and the Flying Squad "Silver Commander" and Senior Investigating Officer in a double fatal shooting at Chandlers Ford.

Matthew is instructed in civil and criminal appeals relating to the classification of firearms. He also regularly acts for Appellants and Respondents in cases concerning shotgun and firearms certificates.

Terrorism:

Matthew is highly experienced in terrorist cases. He is representing the Metropolitan Police Service in both the inquests arising from the terrorist attacks on London Bridge and in the inquests arising from the terrorist attacks on Westminster Bridge and at the Palace of Westminster.

Licensing:

Acting for licensees, applicants, residents' groups, local councils and police forces, Matthew is one of the country's leading licensing barristers. He regularly appears in the Magistrates' Court on statutory appeals and in the High Court and Court of Appeal on judicial review and appeals by way of case stated. Matthew is also experienced in betting, gaming, taxi licensing, sexual entertainment licensing and the regulation of the private security industry. Recent clients include Secret Cinema, the WOMAD festival, Standon Calling Festival, Punch Taverns, the Security Industry Authority and the Metropolitan Police Service.

Health and Safety:

Matthew is a leading health and safety barrister, regularly appearing in cases relating to fatal and near fatal industrial accidents.

Extradition and Interpol Red Notices:

Matthew advises and appears for issuing judicial authorities, requesting governments and requested persons in extradition cases. He appears in the Magistrates' Court and the High Court on appeal. He also advises and represents in mutual legal assistance cases. Matthew has expertise in challenging Interpol Red Notices on behalf of both UK based and international clients

Professional Discipline:

Regularly instructed to represent police officers accused of gross misconduct before discipline boards, the PAT and the High Court on judicial review.

Search and Seizure:

Matthew has particular expertise in litigation concerning applications for and challenges to search warrants and production orders. He has successfully challenged many such warrants securing orders for the return of material and damages. Matthew has recently appeared in high profile cases involving applications for production orders, including an application following serious disorder at the Syrian Embassy and investigations into corruption in Premier League football clubs.

Financial Crime and Proceeds of Crime:

Matthew regularly represents solicitors and accountants accused of money laundering and fraud offences and is experienced in long running and complex fraud and proceeds of crime proceedings in the Crown Court and in the Court of Appeal.

Directory recommendations

"A real star: very bright and well respected by the judiciary." **The Legal 500 2017: Crime**

"An incredibly persuasive advocate with a razor-sharp mind. His approach to the case and advocacy skills are both exceptional." **Chambers UK 2018: Professional Discipline.**

"Relentless in the pursuit of his clients' best interests." **The Legal 500 2017 International Crime and extradition**

"A fearless and tenacious advocate." **The Legal 500 2017: Inquests and Inquiries**

"A strong-minded and fully committed barrister who is really making his mark". **Chambers UK 2018: Crime**

"Has extensive experience and is strong on police disciplinary cases. He is especially noted for handling cases where the police have deployed arms in the course of their operations." "He is very thorough and committed. He prepares his cases superbly, and has good public law knowledge." **The Legal 500 2016: Professional Discipline**

A 'very intelligent and extremely skilled advocate'. **The Legal 500 2016: Licensing**

"a very ebullient advocate who won't be put down," and regularly undertakes licensing work related to sectors such as the security industry, taxis and private hire, casinos and gaming, entertainment and dancing and the liquor trade. One instructing solicitor stated that "he is really impressive on his feet – the client was exceptionally impressed when we used him." **Chambers UK 2014: Licensing**

"He's an intelligent, imposing character. He must be about seven feet tall, a good proportion of which seems to be brain." **Chambers UK: Licensing**

Education/professional qualifications

LLB University College London
Diploma in law
Atkin Scholar 2002 (Gray's Inn)
English Speaking Union American Scholar 2001
Lord Justice Holker Scholar 2000 (Gray's Inn)

Appointments

Bencher of Gray's Inn 2017
Recorder of the Crown Court 2015
Lead Advocacy Trainer, Gray's Inn
Pupil Supervisor
CPS Grade 3 Prosecutor
CPS rape list
Attorney General's B Panel (2012)
Attorney General's C Panel (2008 – 2012)

Other information

Matthew has worked in Jamaica, as a member of the Bar Human Rights Committee, on a scheme to assist those being tried for offences that would attract the death penalty.

Direct access

Matthew Butt 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

Inquests and Inquiries

Inquests into the terrorist attacks on Westminster Bridge (ongoing)

Instructed on behalf of the Commissioner of Police for the Metropolis in relation to the 22.03.17 terrorist attack on Westminster Bridge and the Palace of Westminster

Inquests into the terrorist attacks on London Bridge (ongoing)

Instructed on behalf of the Commissioner of Police for the Metropolis in relation to the 03.06.17 terrorist attacks on London Bridge and the surrounding area

The Undercover Police Inquiry (ongoing)

Instructed to represent former undercover police officer **Mark Kennedy** in this inquiry chaired by Lord Justice Pitchford

Inquest into the death of Philmore Mills [2016]

Instructed on behalf of two police officers who restrained Mr Mills on a respiratory ward shortly before he died

Inquest into the death of James Fox [2016]

Instructed on behalf of the Commissioner of Police for the Metropolis in the fatal shooting of Mr Fox by two firearms officers. Verdicts of lawful killing returned

The Mark Duggan Inquest [2014]

Representing the Trident tactical firearms commander (previously known as silver commander) in the inquest touching the death of Mark Duggan. Verdict of lawful killing returned

The Nunes and Markland Inquest [2012]

Representing the Flying Squad silver commander in the inquest touching the death of Mark Nunes and Andrew Markland; armed robbers shot dead by CO19 snipers during an armed robbery in Chandlers Ford. Verdicts of lawful killing returned

Crime

R v Colonel Kumar Lama [2016]

Central Criminal Court

Leading counsel instructed to defend in torture trial relating to the 1996 to 2006 Nepalese civil war. The case was being prosecuted in England on the basis of universal jurisdiction and was the first of its kind. Colonel Lama was cleared of all charges

R v MC [2014]

Chelmsford Crown Court

Representing a former Detective Chief Inspector from the Ministry of Defence Police. MC was charged with thirty counts of fraud allegedly committed between 2006 and 2011. MC was acquitted of all charges following a four week trial

R v Zinga [2014] 1 WLR 2228

Instructed by the Commissioner of Police for the Metropolis to represent the police in a challenge to right of private prosecutors to bring confiscation proceedings. The Lord Chief Justice stated in the court's judgment that a private prosecutor was able to engage and apply the confiscation provisions under the Proceeds of Crime Act 2002 and that the police were entitled to provide assistance where appropriate

R v C, S, H, D & W [2012] EWCA Crim 1762

Successful defence of H before Southwark Crown Court and the Court of Appeal. Money laundering allegations dismissed following submission of no case to answer, Crown appeal against terminatory ruling dismissed. Police conceded forfeiture proceedings and returned the seized cash

R v Raykanda [2011] EWCA Crim 1896

Representing the Appellant, £3.7 million confiscation order quashed

R v Good [2009] 173JP 1

Successful appeal against conviction by G. Leading authority on bad character applications where defendants are alleged to have given a false impression

R v Watts 2008

City of Westminster Magistrates' Court

Appointed by the court to cross examine the actress Samantha Morton who alleged that Mr Watts was harassing her. The defendant was acquitted

Health and Safety

R v Keepmoat and Superior Roofing and Building Services

Southwark Crown Court [2018]

Acting on behalf of the HSE in a prosecution after a resident and workers fell through a walkway on a residential development in London The resident fell to the floor below suffering serious injuries. Keepmoat fined £800,000 and Superior £300,000

R (HSE) v Kypol and Kapoor [2016]

Prosecuting the company and Director for an industrial accident in which a worker fell into a vat of caustic soda suffering serious burns. The company was fined £75,000 with £32,833.53 in costs. Mr Kapoor, Director of Kypol Electroplating Limited, was also fined £13,500

R (HSE) v Fui Seal Europe Limited [2016]

Prosecuting Fuji Seal in a case arising out of an industrial accident in which a worker's hand was caught in a printing machine. Fuji Seal were fined £175,000 and ordered to pay £20,000 in costs

R (HSE) v Chessington World of Adventures [2015]

Guildford Crown Court

Prosecuting Chessington World of Adventures Limited on behalf of the Health and Safety Executive following a serious accident in which a four year old girl fell fourteen feet and fractured her skull. Chessington was fined £150,000 and ordered to pay £21,000 in costs

Extradition

Germany v MW [2017]

Representing MW who successfully challenged an extradition request relating to a 60 million Euro fraud. MW was discharged on the grounds of his physical and mental health and as extradition would breach his rights guaranteed under ECHR Article 8

India v Ashley [2014] EWHC 3505 (Admin)

Representing the requested person in historic allegations of rape and sexual abuse in Goa. The requested person was discharged, as extradition would be unjust and oppressive in view of the fact that he suffered from dementia. Appeal by Republic of India dismissed

Germany v Lewis, Khan and Din [2014] EWHC 1704 (Admin)

Representing Lewis who successfully challenged an extradition request relating to an alleged €50 million fraud. Appeal by Germany dismissed. Application to certify a question of public importance and leave to appeal to Supreme Court refused

Government of Bermuda v Stamp [2014]

Representing the requested person in an extradition request relating to an allegation of murder. Successfully argued that there is a lacuna in the law which prevents extradition to any British Overseas Territory or Dependency

Tribunal de Grande Instance Paris, France v Ian Griffin [2011] All ER (D) 215 (Apr)

Representing G in proceedings following the alleged murder of his girlfriend in the Hotel le Bristol, Paris. Fitness to plead, suicide risk and proceeding in absence

E v Federation of Bosnia & Herzegovina (BiH) [2011] EWHC 625 (Admin) 2011

Acting for appellant. Successful appeal by E in first extradition request made by BiH

Hoholm v Government of Norway [2009] EWHC 1513 (Admin) Times 12th October 2009

(Child abduction)

Acting for the appellant in successful appeal. Leading authority on raising new issues on appeal

Licensing

Avis/ZipCar v TfL

Instructed by TfL, successfully resisted an appeal brought by ZipCar against the immediate revocation of a fleet of Private Hire Vehicle licences on the grounds of public safety. The Appellant had sought to hire the vehicles out by the day or hour to "Uber" drivers

London City Traders Ltd v London Borough of Tower Hamlets [2016]

Instructed on behalf of a sexual entertainment venue on the edge of the City of London in a successful appeal against a refusal to grant a Sexual Entertainment Venue licence.

Mike Wells v Commissioner of Police for the Metropolis 2014

Successful representation of the Commissioner in an appeal brought by the Secretary of the Sportsman's Association. Mr Wells had sought a certificate for a .45 self-loading pistol arguing that this was necessary for the humane despatch of wild boar. The appeal was dismissed

"Secret Cinema" [2013]

Instructed by Future Shorts Limited in a successful application for a premises licence to allow a run of the Secret Cinema interactive performance of Shawshank Redemption in Hackney. The application which was the first permanent run for Secret Cinema was strongly opposed by the police

R (Ambassador Cars) v Central Criminal Court [2009] EWCA Civ 1140

Appearing in the City of London Magistrates' Court, Central Criminal Court, Administrative Court and Court of Appeal (Civil Division) instructed by Transport for London in a case brought by a large private hire vehicle operator and the subsequent appeal by way of case stated and judicial review claim

R (Betting Shop Services Ltd) v Southend Borough Council & Ors [2008] EWHC 105 (Admin)

Judicial review of Southend Borough Council on the interpretation of the Gambling Act 2005. The Gambling Commission guidance was held to be wrong in law

Professional Misconduct

Misconduct Proceedings In Relation to the Death of Henry Hicks, Metropolitan Police Service [2017]

Representing two police officers who were cleared of all misconduct allegations following the death of Henry Hicks near Caledonian Road

DCI D City of London Police [2017]

Representing a Detective Chief Inspector at a gross misconduct hearing at City of London Police

Officers H and D Thames Valley Police Force [2015]

Representing two officers who faced gross misconduct proceedings following a death in police custody. The case was dismissed following a submission of no case to answer at the close of the Appropriate Authority's case

PAT in relation to PC RP, Staffordshire Police Force [2015]

Representing RP on appeal following his dismissal after a misconduct hearing. Appeal initially dismissed by the Chair. A claim was brought against the PAT in judicial review and the matter remitted. Leave was then granted and the appeal allowed, PC RP reinstated, back pay awarded and costs ordered against the police authority

Sergeant Chilton, Nottinghamshire Police [2015]

Representing a custody sergeant accused of using excessive force by restraining a 17 year old detainee in a neck hold. First allegation dismissed following submission of insufficient evidence, second charge dismissed by the panel

PAT in relation to PC MH, Metropolitan Police Service [2014]

Representing MH on appeal following his dismissal after pleading guilty to a criminal offence. Matthew was instructed after the client had been sacked and his appeal dismissed. A claim was brought against the PAT in judicial review and the matter remitted. Leave was then granted and the appeal allowed, PC MH reinstated, back pay awarded and costs ordered against the police authority

PAT in relation to PC CB [2013]

Representing CB on appeal following his dismissal after he was found to have dishonestly taken and lost a colleagues bicycle. Appeal allowed, PC CB reinstated with back pay

Judicial Review

Avis v Transport for London

Representing TfL in appeal by way of case stated concerning the test relating to taxi licence appeals and disability discrimination. Appeal dismissed

R (on the application of Anand) v Revenue and Customs Commissioners [2012] EWHC 2989 (Admin); [2013] CP Rep 2; [2013] ACD 8

Search warrants issued on application by HMRC quashed on grounds that the content of the warrants were unclear. Key authority in this developing area of law

Re Bell [2012] EWHC 4133 (Admin)

Successful application for certificate of inadequacy in confiscation proceedings