

Matthew Butt QC

Call: 2002 / QC: 2020



Matthew Butt has wide ranging expertise with a focus on international criminal, police regulation, inquiries and public law.

Matthew is recommended by Chambers UK 2020 and Legal 500 2020 in five practice areas.

Over the last five years Matthew has been instructed in cases of national and international significance. He successfully defended Colonel Kumar Lama in a universal jurisdiction war crimes trial relating to alleged torture of Maoist rebels during the Nepalese Civil War. Instructed in both the Palace of Westminster and London Bridge inquests following the 2017 terrorist attacks, he is currently representing the National Counter Terrorist Police Headquarters in the Manchester Arena Inquiry and the Metropolitan Police Service in the 2019 Fishmongers Hall attack.

Matthew sits as a Recorder of the Crown Court and has been appointed a Bencher of Gray's Inn.

Crime

Recent instructions include allegations of war crimes, murder, kidnap, rape, fatal industrial accidents and serious fraud.

Matthew has appeared in many of the leading cases relating to the issuing and execution of search warrants and production orders and is an expert at challenging such warrants in the High Court and excluding illegally obtained evidence at any subsequent trial.

Matthew is highly experienced 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.

Notable Crime cases

- **R v Colonel Kumar Lama [2016]**

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]**

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.

Inquests & Inquiries

Matthew is ranked as a leading barrister in inquests and inquiries by 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. Noted in 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 fatal police shooting cases.

Notable Inquests & Inquiries cases

- **Inquests into the Manchester Arena terrorist attack (ongoing)**

Instructed on behalf of the National Counter Terrorism Policing Headquarters (NCTPH).

- **Inquest into the death of Aston Neil McLean (2019)**

Instructed on behalf of Officer N in the inquest into Mr McLean's death. N had tragically driven into Mr McLean and another police officer whilst responding to an emergency call in an armed response vehicle. N was cleared of all misconduct proceedings. The jury did not criticise N's driving or conduct in any way in their findings and conclusions.

- **Inquests into the terrorist attacks on London Bridge (2019)**

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.

- **Inquests into the terrorist attacks on Westminster Bridge (2018)**

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.

- **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.

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.

Notable Licensing cases

- **Avis/ZipCar v TfL [2017]**

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.

Health & Safety

Matthew is a leading health and safety barrister, regularly appearing in cases relating to fatal and near fatal industrial accidents. He has been appointed to the “A” panel of prosecuting HSE advocates.

Notable Health & Safety cases

- **R v Viridor Limited [2019]**
Prosecuting Viridor for multiple breaches which resulted in the death of a recycling operative who was crushed inside a ballistic separator.
- **R v Keepmoat & Superior Roofing & Building Services [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.
- **R (HSE) v Kypol & 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.
- **R (HSE) v Chessington World of Adventures [2015]**
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.

Extradition & 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.

Notable Extradition & Interpol Red Notices cases

- **India v R [2018]**
Successful defence of a prominent Indian businessman whose extradition was sought for alleged asset stripping by the Republic of India.
- **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 & 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.

Professional Discipline

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

Notable Professional Discipline cases

- **Misconduct Proceedings in relation to the Death of Sean Rigg [2019]**

Representing PC Mark Harratt accused of multiple breaches of professional standards in relation the death of Sean Rigg. PC Harratt was cleared of all alleged 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 & 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.

Search & 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.

Notable Search & Seizure cases

- **Shamima Begum [2019]**
Representing the MPS in an application for production orders against various media organisations relating to the so called “ISIS bride” Shamima Begum.
- **R (on the application of Brook & Others) v Preston Crown Court & Lancashire Police [2018] ACD 95**
Acting for the Claimant in a judicial review of a decision to issue a search warrant. Declaration of unlawfulness granted. Warrants quashed. Order granted for return of all property and destruction of copies. Order prohibiting the police from applying to the Crown Court under Section 59 of the Criminal Justice and Police Act 2001 granted.
- **R (on the application of Anand) v Revenue & 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.

Notable Cases

Inquests & Inquiries

Inquests into the terrorist attacks on Westminster Bridge

(2018)

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

(2019)

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 & 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]

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]

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

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[2014] 1 WLR 2228

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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]

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

Health & Safety

R v Keepmoat & Superior Roofing & Building Services

[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.

R (HSE) v Kypol & 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.

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.

R (HSE) v Chessington World of Adventures

[2015]

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.

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

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]

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“Secret Cinema”

[2013]

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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 & 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

R (on the application of Brook & Others) v Preston Crown Court & Lancashire Police

[2018] ACD 95

Acting for the Claimant in a judicial review of a decision to issue a search warrant. Declaration of unlawfulness granted. Warrants quashed. Order granted for return of all property and destruction of copies. Order prohibiting the police from applying to the Crown Court under Section 59 of the Criminal Justice and Police Act 2001 granted

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

Education

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

Appointments

- Bencher of Gray's Inn (2017)

- Recorder of the Crown Court (2015)
- Attorney General's B Panel (2012)
- Attorney General's C Panel (2008-2012)
- CPS Grade 3 Prosecutor
- CPS Rape List
- Specialist Advocates' A panellist for Health & Safety and Environmental Law
- Lead Advocacy Trainer, Gray's Inn
- Pupil Supervisor

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.

Accreditations

