

## Kirsty Brimelow QC



Call: 1991

Silk: 2011

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### Profile

Kirsty specialises in international human rights, criminal law, public international, constitutional and international criminal law. She is instructed in the most serious, complex and prominent cases nationally and internationally. Kirsty is an experienced trial barrister. She has defended defendants and acted for Claimants as a junior and then as Queen's Counsel before the Criminal and Civil courts respectively, in England and Wales, the Investigatory Powers Tribunal, Courts Martial and Courts of Appeal in the Caribbean, the Court of Appeal in the British Virgin Islands, the European Court of Human Rights and the High Court in Gibraltar. Kirsty frequently advises before the Inter-American Court of Human Rights, the ECOWAS court in Abuja Nigeria, the Court of Appeal of Nigeria, the Superior Tribunal of Santander Colombia, the Supreme Court and Constitutional Courts of Colombia and the UN judicial processes and International Criminal Court.

Kirsty defended in the first murder case in the UK where the defence was heard "*in camera*" on grounds of national security. She was leading counsel defending in the first "juryless trial" in England and Wales. In 2014, she successfully judicially reviewed a decision by the DPP that Prince Nasser bin Hamad Al Khalifa of the Kingdom of Bahrain was protected from

prosecution for alleged torture by state immunity. She represented Amnesty International before the Investigatory Powers Tribunal in its complaint that the data collection programmes Prism, Upstream and Tempora – as revealed by the U.S. whistleblower Edward Snowden – were in breach of Articles 8, 10 and 14 of the European Convention on Human Rights.

Kirsty has represented the Chief Justice of Trinidad and Tobago and the Chief Justice of Gibraltar. She represented former President of the Maldives between 2012-2015. In 2010 she was appointed by the Government of Antigua and Barbuda as Counsel to a Commission of Inquiry into international fraud. The Chief Justice of New South Wales was appointed Commissioner. In 2012 she was appointed legal advisor to the Constitution Commission of Fiji.

In **2013** Kirsty defended the first out of twenty four defendants at the Old Bailey London in the largest fraud case of its kind. In **2014** and **2015** she defended the first defendant in two 3 month immigration fraud trials. In **2013** she defended in a Trident 3 month murder trial at the Old Bailey, London. She is an experienced appeal advocate and successful where leave has been refused. In **2012** she, together with **Edward Fitzgerald QC**, was successful in appealing the rape convictions of former politician Andre Penn (British Virgin Islands). In **2013**, Kirsty presented an Amicus in the case of David Ravelo Crespo to Magistrado Juan Rodriguez, Santander, Colombia. This was the first international intervention at this level of Tribunal. Currently she is leading a team of lawyers representing Serbian Claimants before the High Court over a claim against the Ministry of Defence arising out of the bombing of Kosovo in 1999.

Kirsty first led other counsel in 1999 and maintained this level of practice so as to be appointed Queen's Counsel in 2011. In 2012 she was elected Chairwoman of the Bar Human Rights Committee of England and Wales. She is the first female Chairman. Kirsty has carried out international trial observations, worked on death penalty cases from within Jamaica and is an experienced teacher and trainer in advocacy, international human rights law, interviewing vulnerable witnesses and case management. In 2009, she led a delegation of UK barristers in providing human rights law training in Colombia. Between 2011 and 2014, she led 6 training delegations of UNICEF's Child Protection Networks in Nigeria and the National Human Rights Commission in child rights and case management, having compiled the programmes after leading two fact finding missions in Nigeria. Currently, she is training Judges in Nigeria in Child Rights as a legal Consultant to Unicef.

Kirsty was twice listed in Management Today's most influential 35 women under 35 (2003 and 2005). She was appointed a spokesperson for the Bar Council between 1998 - 2008 and remains a regular legal commentator in the media. Her hundreds of television and radio appearances include: Newsnight, Panorama, Dispatches, Law in Action, File on Four, Today programme, breakfast television and news programmes. She has made one television show "*You be the judge*"

" (2005).

Kirsty was a member of the inaugural Times Law Panel from 2007 -2009 (classified as being one of the "Top 100 Lawyers") and nominated as The Times "Lawyer of the Week". She is sought after by the Bar Council and Criminal Bar Association of England and Wales to advise upon government consultation documents, Bills and other legislative measures. In 2012 she was appointed leader of a working group to draft the Criminal Bar Association's Response to the Law Commission's Consultation on Contempt of Court. In 2013 Kirsty was appointed by the Criminal Bar Association to draft the response to the DPP's proposed Social Media Guidelines. In 2014 Kirsty was part of the team submitting proposals to the Home Affairs Committee to combat Female Genital Mutilation, please see [here](#). These proposals were adopted and passed into legislation. She continued to advise cross-party peers and ministers. In 2014 Kirsty led a team of barristers taking witness statements from complainants of sexual violence in Sri Lanka post conflict. She presented the report at the UN and launched it at the Canadian embassy in London.

Kirsty Brimelow QC discusses whether trial by jury is the best option on the **BBC**.

For queries in relation to instructing Kirsty Brimelow QC please contact **Richard Vile** for Crime queries and **Sian Wilkins** for Civil, Human Rights and International queries on +44 (0)20 7404 1313.

## **Education**

LLB (hons) Birmingham University

Winner of University moot (Judged by Sir Stephen Brown)

Pupillage - 1992/1993 Recipient of pupillage award from Littleton chambers

## **Languages**

French

Spanish

## **Related practice areas**

Criminal Law and Appeals

Inquests and Public Inquiries

Extradition

Actions Against the Police and Public Authorities

Mediation

Public International Law

International Criminal Law  
International Human Rights Law  
International Media Defence  
Media, Defamation and Freedom of Expression

## Mediation

Kirsty is an accredited mediator and often works in conflict resolution. In 2013 she facilitated an apology from the President of Colombia to the peace community of San José de Apartadó. The public apology was issued by President Santos on 10 December 2013. It was described as a “historic” moment in Colombia’s history. Kirsty continues to mediate between State and peace community in Colombia, supported by the British Embassy.

Kirsty interviewed by **BBC World Service** on her work mediating between San José de Apartadó comunidad de paz and the Colombian government.

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## International Law

Kirsty currently is appointed to the local legal team representing the former President of the

Maldives upon a charge relating to the arrest of a Judge. In 2009, Kirsty was appointed Counsel to an Inquiry into a US \$61m fraud in Antigua (the Chief Justice of New South Wales was the Commissioner). In 2011, she undertook direction of the police in evidence gathering. She was instructed on behalf of British Virgin Islands' former politician Andre Penn and, with Edward Fitzgerald QC, was successful in the Court of Appeal. Kirsty advises upon cases from Jamaica to the Privy Council having previously worked on behalf of the Bar Human Rights Committee in Kingston Jamaica. Kirsty successfully represented Chief Justice Sharma of Trinidad and Tobago before a Tribunal chaired by Lord Mustill that enquired into whether to recommend his removal from office to the Privy Council. In 2012, Kirsty was appointed legal adviser to the Constitution Commission of Fiji in relation to its new Fijian constitution and Public Order Act. She is advising upon a child "terrorist" case in the Court of Appeal Nigeria. She has collaborated in amicus curiae briefs particularly in relation to land rights in the Inter- American Court of Human Rights. She is experienced in utilizing UN special measures on behalf of those whose rights are violated. In 2012 Ralph Kasambara moved from being unlawfully detained in Malawi to being released and appointed Attorney General within a month.

Kirsty heads Doughty Street's International Human Rights Team.

R v Kontic and others v Ministry of Defence (QBD) [2016] - representing Serb Claimants over the murder of their family members after the bombing of Kosovo in 1999. Preliminary legal issues include attribution (UK or UN) and Act of State.

Kirsty on **BBC Radio 5's Raising the Bar**, presented by Rob Rinder.

Representing Reinhard Vekuui Rukoro (Paramount Chief of the OvaHerero Traditional Authority), and David Frederick (Chief of the Nama Traditional Leaders Association) over 1904-1908 genocide committed by Germany. Leading Graeme Hall and Emilie Gonin.

Frequently advises upon and drafts applications to UN special procedures. 2016 - Malek Adly (Egyptian lawyer) in partnership with Euro-Med Human Rights Network and International Bar Association.

Frequently advises in cases of British Nationals detained outside the UK.

Kirsty was interviewed by **BBC World Service** on her work mediating between San José de Apartadó comunidad de paz and the Colombian government.

Kirsty **commented** on Theresa May's plan to deport 'sex abusers' whilst she was home secretary.

Kirsty spoke at the **UN** and called for justice for the 1988 massacre in Iran.

Kirsty Brimelow QC was **interviewed** about her life and practice as a human rights barrister.

Kirsty **speaks** on the 1988 massacre in Iran and potential legal remedies.

Kirsty was overall moderator for a ground-breaking **UN expert conference** on the abuse of people through the manifestation of a witchcraft belief. It is the first-ever to discuss witchcraft and human rights in a systematic and in-depth manner at the UN or international level.

## Public Law and Human Rights

Kirsty's public law cases have included a challenge to the compatibility of section 1(1)(a) Protection of the Children Act 1978 with the Article 8 and Article 10 ECHR and an application that the suspended Gibraltar Chief Justice should not have a personal costs liability to the Gibraltar government. In 2014, she successfully judicially reviewed the DPP/ Crown Prosecution Service's decision that Prince Nasser bin Hamad of Bahrain enjoyed state immunity and international crime (torture). She regularly advises governments and NGOs and charities on legal issues in the context of international human rights law.

Noteable Cases:

- **Kontic v MOD** [2016] EWHC 2034 (QB) – breaches of Article 2 over Kosovo in 1999.
- Les Balkwell v Chief Constable of Essex Police (QBD) (2016) - breach of Article 2 ECHR in failure of Essex police to carry out an effective investigation into the death of Lee Balkwell. Press: **Echo News** and **Romford Recorder**.
- Children's Guardian v Local Authority of Swansea (Swansea Family Court) (2016) - Representing the Children's Guardian representing the child. Declaration of breach of Article 8 and 6 rights of the child and damages of £10000 ordered to be paid by the Local Authority to the child.
- Together with Professor Nick Grief and Megan Hirst, advising Trident Ploughshares - Public Interest Case Against Trident on legal action arising out of the renewal of Trident.
- R v Docherty (Appellant) [2016] UKSC 62 On appeal from [2014] EWCA Crim 1197 (intervention by Secretary of State) The Appellant was sentenced to IPP on 20 December 2012, with a specified minimum period of five years and four months. The appeal concerned transitional provisions whereby a new Act LASPO abolished IPPs and replaced them with a different extended sentence regime. He argued that the new scheme was less severe, so to apply the harsher, earlier scheme was contrary to an international principle of "lex mitior" binding on English courts by virtue of article 7 of

the European Convention on Human Rights (“ECHR”). Appeal dismissed. (leading

- Tahir Alam v Secretary of State for Education (First Tier Tribunal) [2016] - appeal against direction pursuant to section 128 of the Education and Skills Act 2008 (“Trojan Horse” case) . Press: **The Guardian** and **Daily Mail**.
- R (on application of Wang Yam) v Central Criminal Court and another [2015] UKSC 76
- Liberty and others v Government Headquarters, SIS and others [2015] 1 Cr. App. R. 24 – Represented Amnesty International. Complaint that data collecting programmes in breach of Articles 8, 10 and 14
- Reprieve and others v Government Headquarters, SIS and others [2014] IPT - Represented Amnesty International. Drafted complaint to IPT over interception of LPP material. (Leading **Jude Bunting**).
- R (on the application of Wang Yam) (Appellant) v Central Criminal Court and another (Respondents) [2015] UKSC 76 On appeal from [2014] EWHC 3558 (Admin) - In April 2011 Wang Yam lodged an application with the European Court of Human Rights (ECtHR) against the UK, complaining that his trial and conviction were unfair and therefore violated article 6.1 of the European Convention on Human Rights (ECHR). Wang Yam argued that he should be permitted to refer to the in camera material in his response to the UK’s observations before the ECtHR. In February 2014 Ouseley J ruled that Wang Yam should not be able to disclose the in camera material to the ECtHR. Wang Yam applied for and was granted judicial review of that decision, but the application was dismissed on its merits. The Divisional Court allowed a ‘leapfrog’ appeal direct to the Supreme Court on the following questions: “Is there a power... to prevent an individual from placing material before the European Court of Human Rights? If so, can the power be exercised where the domestic court is satisfied that it is not in the interests of state for the material to be made public even to the Strasbourg court?” Appeal dismissed. (with Lord Pannick QC and Nik Grubeck)
- R (on application of Yam ) v Central Criminal Court [2014] EWHC 3558 (Admin); [2015] 1 Cr. App. R. 10 – application that no power to make a contempt order restricting placing in camera evidence before ECtHR.
- R v P [2009] - complaint procedure over inclusion over applicant’s name on Sex Offender Register. Successful in representations.
- Solicitor General v Dodd [2014] EWHC 1285 (QB) – contempt.
- David Schofield (Chief Justice of Gibraltar) vs AG [2010] Gibraltar – represented the former Chief Justice in an appeal against a costs order arising from a judicial review.
- FF v Director of Public Prosecutions [2014] EWHC 3419 (Admin) – judicial review of DPP’s decision that Prince Nasser bin Hamad of Bahrain had state immunity.
- Advisor to Constitutional Commission of Fiji

- Impeachment Tribunal (chaired by Lord Mustill) vs former Chief Justice Sharma of Trinidad and Tobago [2007] – Successfully represented the former Chief Justice.
- Appointed by government of Antigua as Counsel to Commission of Inquiry into \$61 million fraud. Commissioner is Chief Justice of New South Wales.

## Criminal Appeals

Kirsty Brimelow QC is frequently instructed in appeals in the Court of Appeal - civil and criminal divisions, the Privy Council, the Supreme Court and the European Court of Human Rights. Kirsty has been instructed in an appeal case in Nigeria, advised upon appeal cases in Colombia (including intervention litigation to the Inter- American Court), advised upon a Privy Council cases from Jamaica and Trinidad and Tobago and carried out training on appeals in Nigeria, Tanzania and Zimbabwe. Together with **Edward Fitzgerald QC**, Kirsty successfully appealed the sexual offences convictions of former politician Andre Penn in the British Virgin Islands.

Notable appeal cases:

- R v Docherty; Secretary of State intervening UKSC Judgment pending.
- R v Khan [2001] EWCA Crim 923 – defended in robbery allegations.
- R v Twomey [2009] EWCA 1035 [2011] EWCA 8 - Kirsty defended in this "juryless trial" appeal before the Lord Chief Justice. The appeal included an application that the Lord Chief Justice recuse himself from the appeal on the basis of appearance of bias. Extensive national and international publicity. ECtHR pending.
- R v Wang Yam [2008] EWCA 269 [2010] EWCA Crim 2072 first murder trial where the defence was partly in camera on grounds of "national security". Interlocutory appeal heard by LCJ (led junior). Appeal pending before ECtHR.
- R v Andre Penn [2012 - BVI Court of Appeal] - Kirsty and Edward Fitzgerald QC were the two QCs selected to appeal the conviction in this high profile case (rape of a child by former politician and brother and deputy prime minister). Successful. Kirsty is representing Mr. Penn in the retrial.
- R v M [2011] EWCA Crim 2752; [2012] Crim. L.R. 789 – defended indecent photographs of a child
- Lewis and ors v Attorney General's Reference No. 15, 16 & 17 [2012] EWCA Crim 1414 - prosecuted by Solicitor General. Guideline case under the new Drugs Offences Guidelines.
- R v TBF [2011] EWCA Crim 26 – defended historical sexual offences complaints by



daughters.

- R v Morris [2013] EWCA Crim 727 – murder; minimum term.
- R v Dang and Others [2012] - leave granted by the Court of Appeal. Largest production of cannabis case in Europe (joint operation between UK and the Netherlands). Kirsty represented the first defendant (out of 24) in three month trial at the Central Criminal Court and £5million confiscation hearing pending. For more information please see **here**.
- Counsel to Commission of Inquiry in Antigua [2009 - 2010] - inquiry into diversion of monies from the repayment of a US\$29 million loan. The Commissioner was the Chief Justice of New South Wales Australia.
- R v Mohamed Nasheed [2012 - 2015] – Kirsty was instructed to advise the former President of the Maldives upon a charge relating to the arrest of a Judge.
- R v M [2011] EWCA Crim 2752; [2012] Crim. L.R. 789 – defended indecent photographs of a child.

## Homicide and Related Grave Offences

Kirsty has defended in murder cases and manslaughter and attempted murder cases for over two decades. In addition, she has prosecuted in murder cases. In her international work, she has worked on appeals on death row cases in Jamaica (2 months in Jamaica and advisory Privy Council work). She is experienced in cross-examining experts with a particular expertise in cases with DNA evidence and those involving children and people with mental health issues. In 2017, Kirsty trained the Serious Crime Agency Officers upon giving evidence as experts in courts.

- R v Atkin [2017] Nottingham Crown Court successfully defended in case where Judge found no case to answer on a charge of misconduct in public office against prison officers at Nottingham Prison after a death of a prisoner in a GeoAmey van within the prison premises. The officers had taken the prisoner onto the van. Kirsty led the analysis and evidence of three experts on control and restraint. (led David Toal; prosecuted by Max Hill QC leading David Malone). For more information please see **here**.
- R v Z [2017] Central Criminal Court defended 15 year old accused of murder of another 15 year old Quamari Serunkuma-Barnes. For more information please see **here, here, here, here** and **here**.
- R v Reza [2017] Central Criminal Court defended in death by dangerous driving case. For more information please see **here**.

- R v Badvie [2014] Central Criminal Court – Defended in murder of mother. Plea of manslaughter on the basis of diminished responsibility. For more information please see **here**.
- R v Dang [2014] EWCA Crim 348 – defended largest cannabis production.
- R. v. Nathan Deacon [2013] Central Criminal Court- Defended in gangland shooting. To view the BBC news article please see **here**.
- R v G and others [2010] Snaresbrook Crown Court – acquittal of numerous firearms related charges. To view the BBC news article please see **here**.
- R v Twomey [2009] EWCA Crim 1035; [2011] EWCA Crim
- Heathrow armed robbery. This was the first "juryless" trial.
- R v C [2008] St. Albans Crown Court – Successful defence in relation to firearms charges.
- R v Liddy [2008] Luton Crown Court – Defended in murder and conspiracy to rob. Severe beating of a cyclist by gang – leading to his death.
- R v Wang Yam [2008] EWCA Crim 269; [2010] EWCA 2072 – Defended in two trials of murder of a reclusive man in his home. This is the only murder case where the defence was heard in camera.
- R v Zahoor Rashid [2006] Luton Crown Court – Defended in “honour killing”. To read the BBC news article please see [here](#).
- R v Khan and others [2005] St Albans Crown Court – Defended in attempted murder and kidnap.
- R v Stephen Byrne [2005] Luton Crown Court – Defended in “one punch” manslaughter.
- R v Tyrell [2005] Central Criminal Court – Defended murder of wife; plea to manslaughter on the basis of diminished responsibility.
- R v Green and others [2004] St. Albans Crown Court – Defended in murder; stabbing occurred during a botched robbery of cannabis. Acquitted.
- R v Cessay [2001] Central Criminal Court – Defended in murder of wife. Plea to manslaughter; diminished responsibility through organic brain disease of defendant.
- R v Amos, Amos and Amos [2001] Reading Crown Court– murder and perverting the course of justice. Leading representing Jerry Amos. For more information please see the **BBC** and The **Telegraph**.
- R. v G [1999] Central Criminal Court – Defending; stabbing outside a pub.

## Serious Sexual Offences

Kirsty has over two decades experience defending against allegations of serious sexual

offences. In addition, in the past she was appointed as one of the Crown Prosecution Service's prosecuting counsel in cases of alleged serious sexual offences. She is experienced in the application of international law to sexual offences allegations, has led fact finding missions and has been appointed to speak as an expert at the United Nations.

- R v S [2018] – defended in multiple historic rape allegations by children. Successful in obtaining leave to appeal convictions. Appeal pending.
- R v OD [2018] – successfully defended man accused of rape of 13 year old
- R v RN [2016]– successfully defended pensioner accused of sexual assault of tourists outside Buckingham Palace
- RAF Northolt [2015] Trained Service Prosecutors on prosecuting sexual offences.
- R v M [2015] Court Martial – successfully defended allegation of sexual assault. Armed forces defendant.
- R. v M [2013] Winchester Crown Court – successfully defended allegation of sexual assault. Armed forces defendant.
- R. v R [2013] Leicester Crown Court – successfully defended historic sexual offences allegations by daughter.
- R v Andre Penn [2012] BVI – successful appeal against sexual offences convictions in relation to allegations by child.
- R v TBF [2011] EWCA Crim 26 – successfully argued abuse of process on historical sexual offences complaints by daughters. Overturned on prosecution appeal.
- R v Assange [2012] – analysed and advised upon sexual offences allegations.
- Lewis and ors v Attorney General's Reference No. 15, 16 & 17 [2012] EWCA Crim 1414 - prosecuted by Solicitor General. Guideline case under the new Drugs Offences Guidelines.
- R v B [2010] Isleworth Crown Court – successfully defended famous musician against child pornography allegations.
- R. v M [2010] Snaresbrook Crown Court – defended rape allegation by 8 year old stepdaughter.
- R v G [2009] Isleworth Crown Court - defended rape allegation.
- R v G [2008] Woolwich Crown Court – successful defence of prison officer's allegation of rape against another prison officer.
- R v J [2008] Luton Crown Court – successful defence of rape allegation.
- R v Elmi [2008] Southwark Crown Court – defended in “cold case” stranger rape.
- R v C [2007] Bournemouth Crown Court – successful defence of rape allegation.
- R v Hammond [2007] St. Albans Crown Court – Successful prosecution of charges of incest.
- R v E [2005] Inner London Crown Court - defended rape case with complainant lacking

capacity. First conviction quashed on appeal.

- R v K [2005] Southend Crown Court – successfully defended allegations of rape offences by daughter (child when giving evidence).
- R. v M [2005] Luton Crown Court - successfully defended historic sexual offences allegations from former pupils of P.E. teacher.
- R v Highton [2005] Luton Crown Court – successful prosecution of former headmaster for sexual offences allegations from boys at the school.
- R v Khan [2004] Luton Crown Court – defended in male rapes.
- R v B [1998] St. Albans Crown Court – successfully defended sexual assault against a child.

## Inquiries and Inquests

Kirsty is instructed in the most serious and prominent cases nationally and internationally at domestic and appellate level; particularly those alleging human rights violations. She is one of a handpicked number of barristers who defends celebrity and other high profile clients. To date, she has represented two Chief Justices (Trinidad and Tobago and Gibraltar). Kirsty is experienced working and advising in disparate jurisdictions and placing their domestic law and constitutions in the context of international law. She is experienced in cases tried before Tribunals. In 2007 she represented the then Chief Justice of Trinidad (Satnarine Sharma) before a Tribunal chaired by Lord Mustill (led and leading junior). It was the first Tribunal worldwide to consider recommending removing a Chief Justice. The subject matter which centred upon accusations and counter -accusations by the Chief Magistrate against the Chief Justice were described by the Tribunal as "almost defying belief". Kirsty and the team were successful, and the Chief Justice was reinstated to his office. In 2008, Kirsty represented the Chief Justice of Gibraltar in a judicial review in relation to costs. Between 2006 and 2008, Kirsty advised the Jamaican senior lawyer in the Privy Council case of Millicent Forbes v AG of Jamaica (shooting of child by police), having worked on "death row" cases in Jamaica for 2 months.

In 2009, she was appointed Counsel to an Inquiry into a US \$61m fraud in Antigua (the Chief Justice of New South Wales was the Commissioner). In 2011, she undertook direction of the police in evidence gathering. She was instructed on behalf of British Virgin Islands' former politician Andre Penn and, with Edward Fitzgerald QC, was successful in the Court of Appeal. Kirsty advises upon cases from Jamaica to the Privy Council having previously worked on behalf of the Bar Human Rights Committee in Kingston Jamaica. In 2012, Kirsty was appointed legal adviser to the Constitution Commission of Fiji in relation to its new Fijian

constitution and Public Order Act. She is advising upon a child “terrorist” case in the Court of Appeal Nigeria. She has collaborated in amicus curiae briefs particularly in relation to land rights in the Inter- American Court of Human Rights. She is experienced in utilizing UN special measures on behalf of those whose rights are violated. In 2012 Ralph Kasambara moved from being unlawfully detained in Malawi to being released and appointed Attorney General within a month.

## Extradition

Kirsty regularly advises in relation to extradition and has success of quashing indictments through the use of the specialty rule. In 2012 she advised upon the Julian Assange case. Kirsty is experienced working in disparate jurisdictions and placing domestic law and constitutions in the context of international law. She has an in-depth knowledge of human rights abuses in many countries including Zimbabwe, Colombia, Iran, Bahrain, Jamaica, Trinidad and Tobago, Nigeria, Malawi, Turkey, Mexico, Afghanistan, Iraq, Sri Lanka and India.

## Regulatory and Financial Crime

In 2009, she was appointed Counsel to an Inquiry into a US \$61m fraud in Antigua and Barbuda (the Chief Justice of New South Wales was the Commissioner). This involved tracking money over some six jurisdictions. Experts and lawyers were co-ordinated from four jurisdictions. An in-depth knowledge of Mutual Legal Assistance Treaties was required. In 2011, she undertook direction of the police in evidence gathering in Antigua. Kirsty is experienced in working and advising in disparate jurisdictions. She has been leading in speaking on human rights and business, in particular to the UN Guiding Principles.

Noteable Cases:

- R v Hume [2006] Luton Crown Court – Leading defending in large- scale six defendant “car ringing” and contested confiscation proceedings. Prosecuted by Q.C. and two juniors.
- R v Pham [2007] Wood Green Crown Court – Defended in contested confiscation hearing arising out of drugs convictions.
- R v Dang and others [2013] Central Criminal Court – Defended first out of 24 defendants in £5 million confiscation hearing; including issues of hidden assets.

- R v N and others [2014] and [2015] Reading Crown Court – Represented first defendant in large scale fraud relating to facilitating asylum seekers for gain.

## Publications

- **Fact finding report: Breakdown: the dismantling of the Calais “Jungle” and of the promises to its unaccompanied children”**
- **Submission to the Special Rapporteur on the independence of judges and Lawyers**
- **John Bolton’s crusade against the ICC will leave terrorists cheering loudest** - The Times, September 2018
- **UK Bar chair dissects Buhari’s stance on rule of law** - Daily Trust, September 2018
- **Theresa May is ignoring Nigeria’s creeping authoritarianism** - The Times, September 2018
- **Colombian violence** - The Times, August 2018
- **Best books for summer: delve into legal dramas to find a guilty pleasure** - The Times, August 2018
- **Inner Temple Yearbook 2017 - 2018 “What is Europe?”**
- **Twists, turns and a touch of inspiration: the best books for Christmas** - The Times, December 2017
- **Female genital mutilation prosecutions: ‘A tough battle to challenge community traditions** - 2018
- **International Criminal Court must act on Yazidi atrocity** - The Times: The Brief, August 2017
- **Into the dark: Rights Security and the Courtroom** - UK Supreme Court Yearbook 2015-2016
- **Papal plotting, pompous silks and police drama** - Book Review for The Times, December 2016
- **French shame over terror suspect defence** - The duty of defence Lawyers - The Times, October 2016
- **Violence against lone child refugees is escalating - because we ignore it** - The Guardian, August 2016
- **European Convention benefits British justice** - The Times, April 2016
- **Human Rights: reclaiming the argument** - The Times, 2015
- **Maldives: imprisoning of former President casts doubt on judiciary** - The Times, 2015

- UK failing to meet international obligations on FGM 2015 (with Zimran Samuel) The Times. Please see **here** and **here**
- Filmed San José de Apartadó and contributed to film Peace Pioneers. 2014 Please see **here**
- Reviewer of books for The Law Section of The Times (twice yearly)
- **End of term report: best of the sizzling summer reads** – The Times, July 2015
- **Murder, mystery, mayhem — and cricket** - The Times, December 2014
- **Summer scorchers and ripping reads** – The Times, July 2014
- **Courtroom crackers and fabulously forensic fables** - The Times, December 2013
- **Crime and punishment make best summer reads** - The Times, August 2013
- **Book in for some good summer reading** - The Times, August 2009
- **Christmas law books: stocking thrillers, fillers and always a courtroom drama** - The Times, December 2008
- Contributing author to Westlaw (2012 - 2013)
- Lexis Nexis - author of Sexual Offences Laws Notes for Practitioners (2012)
- The ICC's jurisdiction over Gaza (The Guardian 2014) Please see **here**
- Reviewer "International Crime in the Courts of England and Wales" by Dr. Kate Grady Criminal law Review. Please see **here**
- Counsel Magazine (Human Rights - 2013)
- Editor of three Child Rights Manuals produced for UNICEF Nigeria (2013)
- Headed team producing DVD Best and bad practice for child interviews (UNICEF Nigeria) (2012)
- Report on Bahrain (2009) Please also see **here**
- Counsel Magazine (In Big Brother we trust -2008) Please see **here**
- Rape fact sheet (Bar Council - 2007)
- Parliamentary Brief (analysis of Serious Crime Bill - 2007)
- **The Times - Death row** (17.10.06)

## Trial Observations

2014 Human rights violations fact finding in Nepal on behalf of Alliance For Lawyers At Risk

2009 Bahrain Crown v Hasan Mashaima, Dr. Abdul Jalil Al-Singace, Mohammed Habib al Maqdad and others - observed hearing on behalf of BHRC (all detainees received a Royal pardon 2 weeks later)

2005 "Kraal trial, Kingston Supreme Court Jamaica" - murder trial of SSP Reneto Adams,

Corporal Patrick Coke, Constables Devon Bernard, Shane Lyons, Roderick Collier and Lenford Gordon (all officers acquitted of extra-judicial killing)

## Seminars and Lectures

### **Kirsty gives seminar and lectures around the World including:**

2016 - Speaker at International Women's Day Conference. "Women United Against Islamic Fundamentalism". Paris. To listen to the podcast please see **here**.

2016 - One of the Judges of Index Freedom of Expression Awards

2016 - speaker at Institute of Commonwealth Studies, University of London, "Surveillance and Human Rights". London. To watch please see **here**.

2015 - Chair of the Bar Human Rights Committee seminar, "FGM Protection Orders - what impact for girls at risk?". Doughty Street Chambers, London. To watch please see **here**.

2015 - speaker at IBA Magna Carta/Rule of Law conference on surveillance and privacy. New Delhi India.

2015 - Chair of the Bar Human Rights Committee seminar, "Rupture and Reconciliation in Colombia". Doughty Street Chambers, London. To watch please see **here**.

2015 - "Freedom of Expression" keynote speech at Human Rights Committee Voice of the Profession, AIJA annual conference, London

2015 – "The Legal Professions' Leadership on business and the Bar" ABA Human Rights Center. UN Geneva

2015 – "Global Corporations and the Rule of Law" American Bar Association Magna Carta Conference London

2015 – Thomson Reuters debate on the ECtHR with journalist Matthew Parris, former Home Secretary and Foreign Minister Jack Straw and Michael Mansfield QC

2015 – "Does Human Rights Law mean that the days of national boundaries are numbered?" Slynn Foundation, Clifford Chance Solicitors London. Chaired by Dominic Grieve QC MP, other speakers: Sir Maurice Kay and Lord David Pannick QC



2015 – “Sri Lanka: will the delay of the OISL report help the victim?” Commonwealth Human Rights Initiative London. To listen to the podcast please see [here](#)

2015 – Speaker at John Smith Trust/ FCO “Vision and Voice from the Middle East”, London

2015 – “India’s Daughter” – chaired discussion around film in London and supported Vital Voices and Plan UK in New York. To view The Times article please see [here](#)

2015 – Chaired discussion on film “White Shadow” (hunting of Albino people in East Africa); Ambassador of Tanzania. Tricycle Theatre London

2014 – Whose Convention is it anyway? Addressing the facts and myths around the Human Rights Act. Oxford University, All Soul’s College. To listen to the podcast please see [here](#)

2014 – ‘Human Rights : Available in a court near you or in selected venues only?’ – International Human Rights Day. Bindmans Solicitors, London. To listen to the podcast please see [here](#)

2014 – Chaired Bar Human Rights seminar at Bar Conference on Human Rights and Conflict Resolution, London

2014 – Speaker at House of Lords San José de Apartadó Chaired by Nelson Mandela’s former lawyer Lord Joffe. Houses of Parliament. To listen to the podcast please see [here](#).

2014 –Witchcraft Accusations and Persecutions: A Legal Perspective. Garden Court Chambers, London

2014 – Speaker “Terrorism law in Nigeria “ alongside Mohammed Bello Adoke, then Hon Attorney- General of the Federation & Minister of Justice of Nigeria. British Nigerian Lawyers’ Forum London

2014 – Speaker on human rights and Criminal Law – Justice Human Rights conference London

2014 – Speaker on mental health and police stations – twice at Solicitor Journal Conference Emirates Stadium London and Canary Wharf London

2013 - Chaired the Bar Human Rights Committee seminar at the Bar Conference – “Law, War and Human Rights”

2013 – Regular speaker on San José de Apartadó peace community, Colombia - Law Society, London

2013 - Chaired seminar on human rights in the Gambia - Amnesty International Centre; live

streamed to the Gambia

2013 - Chaired BHRC seminar on human rights in Iran - the Bahai leaders - Houses of Parliament

2013 - Speaker on "Corporate Manslaughter" - Solicitors Journal Conference; Emirates Stadium London

2013 - Chaired seminar upon Professor Bhullar's case and death penalty in India - London

2013 - Speaker on human rights in West Africa/child soldiers at Human Rights Watch Festival - Curzon cinema Mayfair London

2013 - Speaker upon case management in complex/serious criminal law cases including terrorism cases to terrorism specialist Nigerian High Court Judges- London

2012 - Advocacy on behalf of Ralph Kasambara. BBC World Today February 2012. To listen to this please see **here**

2012 - Chaired Bar Human Rights Committee seminar on conflict resolution at annual Bar Conference London

2012 - Presentation upon human rights violations in Colombia (jointly with law Society) London

2012 - "Women and the Media" and Article 8 and Article 10 - International Media Conference Mauritius

2011 - 2013 - Together with Alex Bailin QC of Matrix, Kirsty delivers the annual Sweet and Maxwell/Justice review of criminal law/human rights law cases London

2010 - International social economic norms - "*Dying to Go to School*"; War Child BAFTA London

2010 - Independent Judiciary; terrorism and international law - Euro- Med Human Rights Network (Brussels and Istanbul)

2009 - Impunity and international human rights. Autonoma Universidad Bogota, Colombia

2004 - 2007 Corporate Manslaughter - annual Firefighters' conference, Scotland and Essex Firefighters' conference, Essex

2005 - Cross-examining children and vulnerable witnesses. Young Bar Conference London

Kirsty is a regular speaker at Doughty Street seminars including the **Paul Taylor** Appeal series and at Human Rights All Parliamentary Committee meetings (Colombia, Mexico,

Bahrain, Zimbabwe, Ethiopia, Iran). She is a regular contributor at round table meetings, hosted by the Foreign and Commonwealth Office. In 2012, this included President Santos of Colombia. In 2014 it included the Human Rights Minister of Iraq and Minister of Justice of Mexico. Kirsty is an experienced Chair and is frequently invited to act as facilitator at large-scale events.

## Positions

- Bencher of Gray's Inn
- Trustee of Civitas Maximas
- Chairwoman of the **Bar Human Rights Committee** of England and Wales (2012 - 2018)
- Appointed legal adviser to the Constitution Commission of Fiji (2012)
- Appointed to the Legal Advisory Committee for Peace Brigade International (2012 -)
- Appointed Chair of Working Group responding to Law Commission Consultation on Contempt of Court (2012)
- Appointed by the Criminal Bar Association to respond to the DPP's draft Guidelines on Social media prosecutions (2013)
- Called to the Bar of the Eastern Caribbean Supreme Court
- Called to the Bar of Gibraltar
- Spokesperson for the Bar (1998-2008)
- Criminal Bar Association (CBA) executive (2004 - 2010) - Organiser of CBA seminars at Bar Conference 2006-2008
- CBA representative at DNA workshops organised by ACPO and CPS (2006 - 2009)
- Bar Council Public Affairs Committee (2000-2007)
- Pro Bono Bar Caribbean Committee (2005 -2008)
- Central London Bar Mess Committee (2004 - 2007)
- Opinion Leader Research Panel (2005-2008)
- Representative for the Bar Human Rights Committee on the Euro - Med Human Rights Network (2005 - 2010) Please see [here](#)
- Populus Research Panel (2006-2008)
- Founder and Chairwoman of 187 Fleet Street Chambers' Human Rights committee (2005 - 2007)
- Bar Conference Organising Board 2006 and 2007
- Vice-Chair of the Bar Human Rights Committee (2009 - 2012)

## Training

2018 Nigeria – Kirsty has devised and led training on rights and protections of Internally displaced persons in North East Nigeria and on environmental law and international law in the Niger Delta. The trainings were of around 150 Nigerian Bar Association barristers and also a training of the “trainers”. It was the first time that all the lawyers from the 6 branches across the North East region have been brought together. The Niger Delta trainings included representatives from each of the 40 branches of the Niger Delta region as well as each state’s Attorney General’s office and key governmental agencies with mandates to address oil spills and pollution. For more information please see [here](#) and [here](#).

2016-2017 Nigeria – training the Nigerian National Judicial Institute in child rights with a focus upon international law, case management and interviewing of vulnerable witnesses (including set up of court rooms). Kirsty worked largely as a single trainer across 4 states and assisted selected NJI trainers training Federal and State High Court Judges and Magistrates. She was engaged as a consultant to Unicef and Coram Children’s Charity. Ongoing liaison with the National Judicial Institute.

2017 Serious Crime Agency UK – trained senior officers as part of their course to become expert witnesses. This involved mock cross-examinations.

2016 - Training Nigeria National Judicial Institute and Judges in Child Rights. Appointed consultant to Coram International on Unicef programme. Abuja, Lagos, Cross River.

2016 - Training Bar Students in ethics on behalf of Gray’s Inn. Cumberland Lodge.

2015 - Kirsty Brimelow QC took part in Trust Women annual conference speaking in the Thomson Reuters film on “Women under extremist rule from Isis to Boko Haram”. Please see [here](#) to view the film.

2015 - Annual Sweet and Maxwell Human Rights Conference. Speaker on “Surveillance, Privacy and freedom of expression”

2015 – Training to Service Prosecutors on “prosecuting sexual offences”; RAF Northolt, England

2015 – Wrote and joined High Court Judges judging Gray’s Inn Moot final, London

2015 – part of expert “round table” at Bingham Centre on terrorism legislation

2015 – Judge at Human Rights Watch London Network Mock Trial Final between University College London and London School of Economics

2014 – Part of the expert “round table” at Chatham House on European Convention on Human Rights

2013 - Speaker on international human rights law and Amicus Curiae briefs at the Universidad Industrial de Santander, Bucaramanga, Colombia

2012 - Training in Zimbabwe on "free and fair elections"; international human rights law norms and standards. This project was supported by the Foreign and Commonwealth Office and was on behalf of the Bar Human Rights Committee in partnership with the John Smith Memorial Trust

2012 -Training Law Lecturers at The Law School of Tanzania in criminal practice and procedure. She worked for two weeks at the Law School in Dar Es Salaam

2011/2012 - Kirsty set up and supervised an internship in Calabar, Cross River State Nigeria working on "child witch" cases

2010 - 2013 Training UNICEF established Child Protection Networks in Nigeria. She has currently led 6 trainings. She has led one training of Nigeria's National Human Rights Commission

2010 - Conducted two fact finding missions in Nigeria in order to compile and direct the subsequent trainings sessions and materials

2009 - Training in international human rights at Universidad Autónoma Bogotá Colombia

Also, Kirsty has spent 2 months defending in capital murder cases in Kingston Jamaica (2005 - 2006). She continues to work with her Caribbean colleagues. She was appointed to two international fact finding missions in Colombia in 2009 and 2012. In 2012 Kirsty was invited to join and became part of Peace Brigade International Lawyers Advisory Committee. She is part of the Attorney General's International Pro Bono Committee, part of the Euro-Med Human Rights Network and part of the Alliance for Lawyers at Risk.

## Protest cases

Kirsty has a substantial experience in representing defendants in “protest cases”. She defended many arrested in the “May Day riots” of 2000 and 2001 and more recently defended the Drax protesters (Northampton Crown Court) and Plane Stupid protestors

(Willesden magistrates court and Harrow Crown Court) ; described as a “brilliant advocate” by the father of one of the protestors - read more [here](#), in the **BBC**, and **The Guardian**.