

## Markus Findlay



Call: 2018

Email: [m.findlay@doughtystreet.co.uk](mailto:m.findlay@doughtystreet.co.uk)

### Profile

Markus is known for his thoroughness and excellent client care. He has been commended by District Judges for his *“persuasive points under pressure of time”* and his *“focussed”* written submissions.

Before coming to the Bar, Markus worked at Advocate (formerly the Bar Pro Bono Unit). Here he worked on General Medical Council (GMC) cases with doctors facing allegations of manslaughter, drug trafficking, and serious sexual offences. He also worked on the first private prosecution under the Reserve Forces (Safeguard of Employment) Act 1985 and a child death inquest that led to the first prosecution of an NHS Trust for unsafe care and treatment.

Markus was also a paralegal at the leading law firm Corker Binning where he provided research and drafting support to senior partners in financial crime, extradition, cross-border civil matters, and the first Court of Appeal hearings in the Post Office Horizon scandal.

As a multilingual lawyer (French and German) with training in diplomacy, Markus is adept at dealing with matters that are international in nature. He was Junior Counsel in a People’s Tribunal concerning organ harvesting in China, for which he cross-examined a former Canadian Secretary of State. He also worked in research and advocacy roles at the

International Federation for Human Rights (FIDH) in Paris and the United Nations Office for Drugs and Crime (UNODC) in Vienna.

Outside of his court practice, Markus has completed placements with the Serious Fraud Office (SFO), HM Revenue & Customs (HMRC) working on the UK Covid-19 Inquiry, and the Office of Financial Sanctions Implementation (OFSI).

## **What others say**

*“This was a case where advocacy prevailed”.* **Remarks of Recorder Ramasamy KC upon the acquittal of the Defendant in R v SC, Isleworth Crown Court**

*“It is a real bonus to be able to instruct someone who is not only bright and on top of all the legal issues, but is also keen, interested, enthusiastic and hard working.”* **Vivien Cochrane, Partner at Shearman Bowen**

*“It is rare to see a young barrister thinking outside the box which reflected his enthusiasm. He impressed with his attention to detail and diligence.”* **Kiran Gibson, Senior Associate at Blackfords LLP**

*“He is very personable and easily gains the trust of clients.”* **Agnieszka Maria Biel, Associate at Lansbury Worthington Solicitors**

*“Without Markus’ help it is very likely that I would not be here today still practicing as a dentist... His meticulous attention to detail, application of relevant case law in an obscure case like mine and bravery to take on a case like mine which could easily have been lost are assets of his that I am grateful for.”* **Pro bono client**

## **Education**

LLM in Professional Legal Skills (Extradition): The City Law School (2018)

Bar Practice Training Course: The City Law School (2018)

Graduate Diploma in Law: The City Law School (2016)

Graduate Diploma in International Relations: Diplomatic Academy of Vienna (2015)

BA French and German: University College London (2014)

## **Languages**

French (fluent)

German (fluent)

Arabic (basic)

## **Related practice areas**

Extradition

Sanctions

Business Crime

## **Extradition**

Markus completed a secondment with the Extradition Unit of the Crown Prosecution Service (CPS) in 2024. During his secondment, Markus was a Reviewing Lawyer responsible for requests from European Union (Part 1) countries. This included requests for serious offences such as attempted murder and armed robbery. He also conducted advocacy in both Westminster Magistrates' Court and the High Court and gained insight into how the CPS engages with its Liaison Prosecutors overseas and partners at home such as the National Crime Agency (NCA) and the Home Office.

He has appeared on behalf of Requested Persons sought by a number of jurisdictions such as Hungary, Poland, Portugal, and Spain. He is experienced in adducing expert evidence on matters such as prison conditions, mental health, and the treatment of minority groups within criminal justice systems overseas.

His article on the significance of the reports of the Committee for the Prevention of Torture (CPT) in extradition hearings was published in Sweet & Maxwell's European Human Rights Law Review in 2019. He has also presented a talk on Chinese extradition requests at Corker Binning and on extradition and war crimes at an international conference in Croatia.

Alongside his practice, Markus sits on the Committee of the Extradition Lawyers' Association (ELA) and is an active member of the Defence Extradition Lawyers' Forum (DELF).

## **Sanctions**

Markus has a growing sanctions practice which stems from his previous secondment with the Office of Financial Sanctions Implementation (OFSI).

At OFSI, he gained insight into how sanctions are implemented and enforced by various government departments. Based within the Russia Licensing Branch, he advised on licensing cases and policies governed by the Sanctions and Anti-Money Laundering Act 2018 (SAMLA) and a new and developing line of case law. He also briefed officials in the Foreign, Commonwealth & Development Office (FCDO) and the United States Department of State on

joint sanctions projects.

In 2024 the Bar Council awarded Markus the International Professional and Legal Development Grant to attend a flagship sanctions conference in Washington DC. He has also authored an article on sanctions licensing for Westlaw with Peter Caldwell, Head of Doughty Street International's Sanctions Team.

Markus is available to give presentations on sanctions matters. He is a member of the London Sanctions Advisers Association (LSAA).

## Crime

Markus has a busy Crown Court practice that has taken him across the country. Some of his notable cases include:

- **R v SC** – Acquittal in a domestic burglary trial at Isleworth Crown Court in which the Crown relied on forensics and extensive bad character evidence. Praised by the presiding Recorder (Selva Ramasamy KC) for his closing speech who stated *“this was a case where advocacy prevailed”*.
- **R v RJ** – Led junior in a two-handed romance fraud trial at Guildford Crown Court in which the client was a serving Probation Officer. The fraud was valued at over £400,000 and impacted a total of 80 victims. The matter attracted the attention of national news outlets.
- **R v J** – Secured a suspended sentence for a client convicted of Class A drug supply offences at Lewes Crown Court. The client, who initially faced an 8-count indictment, was arrested in a car containing the drugs and several weapons, including a machete and a stun gun. The Prosecution suggested these offences carried a starting point of 4.5 years in custody based on his *“significant role”* in the operation.
- **R v C** – Acquittal of man accused of sexually assaulting a woman in Zoo Bar in Leicester Square after a four-day trial at Southwark Crown Court. The client maintained his good character and avoided being added to the Sex Offenders Register.
- **R v N** – Acquittal in a bladed article trial at Southwark Crown Court for a chef of good character.
- **R v O** – The Crown offered no evidence in respect of two Class A drug supply charges at Basingstoke Youth Court following seven hearings and Markus' written

representations highlighting two positive modern slavery determinations.

- **R v B** – Successful appeal of sentence and Football Banning Order (FBO) at Wolverhampton Crown Court for a public order offence arising from a clash between West Bromwich Albion and Millwall supporters at a match at The Hawthorns stadium.
- **R v A** – Appeared in a multi-handed three-day trial at Westminster Magistrates' Court concerning anti-lockdown protestors charged with a public order offence. The trial received widespread media coverage and involved the cross-examination of the Political Editor of BBC Newsnight, Nicholas Watt.
- **R v RT** – Successful submission of no case to answer in an assault trial at St Albans Magistrates' Court, preserving the client's good character.

## Regulatory and Professional Discipline

Markus has appeared on behalf of regulators and registrants at both interim and substantive hearings. He has a particular interest in regulatory proceedings arising from criminal investigations or convictions.

His cases in this area include:

- **GMC v MH** – Represented a Consultant Radiologist accused of dishonesty in the course of her practice at Chelsea and Westminster Hospital.
- **GDC v LB** – Persuaded a Professional Conduct Committee that his client's fitness to practise dentistry was not impaired by reason of conviction and misconduct after a three-day hearing.
- **NMC v RT** – Appeared on behalf of the NMC at a seven-day Fitness to Practise Hearing. Markus secured a finding of impairment by reason of misconduct and ill health in respect of a nurse who was intoxicated at work from stolen opioids at the Royal Blackburn Hospital.
- **BPS v LP** – Advised Cognitive Behavioural Therapy (CBT) practitioner regarding his disclosure obligations in relation to three separate regulators following his arrest for sexual assault.

Outside of the healthcare context, Markus is a member of the Advocate Scheme for Advice and Representation of Football Referees. He accepts instructions in relation to regulatory

matters arising in all sports.

## Inquests and Public Inquiries

In 2023, Markus was instructed by HM Revenue & Customs (HMRC) to assist with the department's preparation for the UK Covid-19 Inquiry. Through this work he gained insight into the government response to fraud relating to the Eat Out To Help Out and Coronavirus Job Retention schemes.

He was also led in a pro bono jury inquest relating to the suicide of a 34-year-old male. The Interested Persons included the local NHS Foundation Trust, fire and rescue service, and police headquarters. Markus and his leader were supported by a team at an American multinational firm which included Partners and an Assistant Coroner.

## Publications and Presentations

### Publications

*'Sanctions Licensing'* (co-authored with Peter Caldwell) – Westlaw (2024)

*'Are the Reports of The Council of Europe's Committee for The Prevention of Torture (CPT) Fit for Purpose for Extradition Hearings Involving Issues of Mental Health?'* – European Human Rights Law Review (Sweet & Maxwell) Volume 1 (2019)

*'Out of Sight, Out of Mind: The Mental Health Act and Prisoners' Rights'* – UK Parliament's Joint Committee for Human Rights (2017)

*'Migration and the Right to Education: The Case of Tigere'* – Gray's Inn Student Law Journal (GIJ) Volume 9 (2017)

### Presentations

*'Extradition, Diplomatic Assurances and War Crimes'* – Presentation at the Geoffrey Nice Foundation Master Class in Dubrovnik, Croatia (2021)

*'UK-China Extradition: The View from 2021'* – Presentation at Corker Binning (2021)