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## Malcolm Bishop QC

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### Practice Overview

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Malcolm Bishop QC, sometime Deputy High Court Judge, Recorder of the Crown Court, Chair of the Isle of Man Legal Services Commission, is currently a Bencher of the Inner Temple, and Hon. Standing Counsel to Regent's Park College, Oxford University. He has strong connections with the Caribbean and is a member of the Turks and Caicos Islands Bar.

He has a widely based common law practice, which has taken him to most court Centre's in England and Wales, from the Magistrates' court to the House of Lords, within his specialist areas of crime, family and public law. He has also accepted instructions from commonwealth jurisdictions, and has a strong connection with Bermuda. He is currently briefed to lead a team of QCs and juniors in potential actions for alleged child abuse in Jersey. He is currently engaged in defending (leading Huw Evans of these Chambers) in a long case in the Turks and Caicos Islands where the former Premier and members of his cabinet face charges with fraud, bribery and corruption. He is back in the UK every three weeks and available for consultations then. Additionally he conducts regular conferences from the Caribbean by Skype.

He is regularly instructed in high-profile cases of the utmost seriousness, including the first ever Al Qaeda terrorist trial, the 'airline terrorist' trial, many cases of gangland killings, as well as serious fraud. He also appeared in the longest murder trial at the Old Bailey, and successfully defended in the notorious multiple shootings of two young girls in Birmingham on New Year's Day 2003.

He was a member of the Bar Council for many years and has served on innumerable committees and working parties, as well as lecturing widely to regional and national conferences.

Malcolm Bishop is willing to enter into arrangements in respect of conditional fees and direct access.

#### Notable and Reported cases

- House of Lords
  - Re M and H [1988] 2 FLR 431: Family childcare;
  - Re: Birmingham CC: Family childcare;
  - R (Champion) v Gwent CC: Judicial Review of Chief Constable's disciplinary powers;
  - R v Ireland and Burstow: Crime ingredients of assault
  
- Court of Appeal



- R v Wood CA [2008] EWCA Crim 1305: involuntary intoxication in murder cases
- R v Jabber: new guidelines on permissible inferences;
- R v Carmona: CA [2006] EWCA Crim 508: Article 8 and deportation rules; permission to appeal to the House of Lords granted;
- R (Sezek) v Sec. of State for Home Dept. CA [2001] EWCA Civ 795: Judicial Review, Article 8 and deportation;
- R v SENT ex parte South Glamorgan CC: admin civil procedure
- R v Ali: Court of Appeal Crim Div. Hughes LJ, Roderick Evans J and HH Judge Gordan: 18 Feb. 2011 Guidance on 'steps to verdict' directions
- R v Ali: Court of Appeal Crim. Div Thomas LJ, Saunders and Sweeney JJ Important decision on autrefois acquit in terrorist case: leave to appeal to Supreme Court under consideration

- Administrative Court

South Glamorgan CC v Secretary of state for Wales. Admin Court. Wide ranging dispute by all the Welsh local authorities against Sec of States amendments to contracts of employment and pension provisions

- R (B) v Gloucestershire CC: child care, parent's right of appeal;
- Burston v Rawlins: JR of magistrates taxation of costs
- R v Governor of Brixton prison ex parte Marais [2001] EWHC Admin 1051: extradition application of Act to South Africa;
- R (C) v Regent's Park College, Oxford [2008] EWHC 739: JR of order of Conference of Colleges Appeal Tribunal;
- R (South Glam CC) v XY: JR of Sec. of State's failure to rule on school closure;
- R (Gwent CC) v X: JR of school closure
- R (Gurmit Singh Nahal) v Law Society; [2003] EWHC 2186 (QB): powers of Law Society to strike off solicitor;
- Gwent Area Health Authority v X: JR of hospital closure;
- R (Robinson) v Sutton Coldfield Magistrates Court [2008] EWHC 307 Admin: new guidance on hearsay and bad character evidence
- In Re The Earl of Cardigan V Moore et al ( trust dispute on behalf of the Earl of Cardigan )

- Crown Court

- R v Ajosi: manslaughter of vicar's daughter by 2 teenage girls
- R v Spencer: The 'Johnson Crew' gangland shooting
- R v Stephen: The South Wales Police Alleged Corruption following the Lynette White murder
- R v Lamponi: alleged double murder with Italian connections



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- R v Barot and Jalil: appeal in the Al Qaeda connected USA/UK terrorist plot
  - R v Ashiq Hussain: gangland shooting allegedly arising out of 'drug territorial wars'
  - R v Carty & others: Letitia Shakespeare and Charlene Ellis: gangland shooting in Birmingham
  - R v Sivakumar & others: longest ever murder trial at the Old Bailey;
  - R v Abedin: first ever Al Qaeda trial in UK
  - R v Patack & others: MTIC fraud at Nottingham Crown Court;
  - R v Sarwar et al: the 'airline' terrorist trial
  - R v Zaheer: incitement to murder: preaching at Regent's Park mosque
  - R v Babamuboni: The 'Peckham christening'-shooting involving young defendants

#### **Other**

- Re LC (Medical Treatment Sterilisation) [1997] 2FLR 258: sexual abuse-sterilisation of mentally handicapped patient
- NSPCC v H and H [1989] FLR 131: locus of NSPCC in care proceedings
- Re Duncan: Chancery Division: dispute as to correct interpretation of NHS service agreements
- R (on the Applications of Richard Carnell v (1) Regents Park College, Oxford University (2) Conference of Colleges Appeal Tribunal (2008) EHWK 739 (Admin QBD) Black J) 7/4/2008
- The Earl of Cardigan v Moore and Cotton ( trust dispute in behalf of earl of Cardigan )

#### ● Advisory Work

- Innumerable opinions and advices on all aspects of education, child care and public law matters for many local authorities particularly in South Wales and South West England.

#### ● Extra Jurisdictional work

- Strong connections with Bermuda

## **Appointments**

- Deputy High Court Judge
- Recorder
- Chair, Isle of Man Public Inquiry into Legal Aid Provision

## **Education & Qualification**



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- Regent's Park College, Oxford University MA (Oxon)
  - Ruabon Grammar School

## Memberships

- Member Bar Council 1982-1988
- Family Law Bar Association
- Inner Temple