

PAUL GREANEY Q.C.



Described in the leading legal directories for 2012 as having *“the rare ability to control the courtroom no matter who the tribunal”* and *“very industrious in the pursuit of client’s interests”* (crime). In 2011, described as possessing *“excellent advocacy skills”* (crime) and *“scoring well with solicitors”* (professional discipline). In 2010, described as *“outstanding ... a master of murder, fraud and other serious criminal cases”* and, in relation to medical defence work, *“there is absolutely no one in the same league as him on circuit”*. In 2009, described as *“eloquent and charismatic”* and *“highly sought-after as a result of his lengthy experience and the clarity with which he explains his position”*. In 2008, described in the following terms: *“excels in serious crime”, “his victories speak for themselves”* and *“exceptionally bright and someone who really defends hard”*.

Described in the Times (2nd January 2012) in the following terms: *“... the FA went for one of the country’s leading criminal lawyers, appointing Paul Greaney, QC, to make the case against Suárez ...”*.

Winner, at the Chambers & Partners Bar Awards 2009 of the award “Criminal Junior of the Year”. These national awards “honour those sets of chambers, silks and juniors who have particularly excelled in their practice areas over the past 12 months”. The first practitioner outside of London to receive this award. Appointed Queen’s Counsel in 2010.

Appointments

1993	Year of call
1995	Tenant at Park Court Chambers
2002	Attorney General's panel of advocates (crime)
2005	Attorney General's list of special advocates
2009	Criminal junior of the year (Chambers & Partners)
2010	Queen's Counsel

Scope of Practice

- Serious crime, principally homicide, financial crime and organised crime.
- Regulatory crime.
- Public law, particularly claims relating to the criminal justice system, police law and coronial law.
- Disciplinary proceedings, particularly police misconduct proceedings, proceedings before the General Medical Council and proceedings before professional sporting bodies, including the Football Association.
- Inquests, particularly those involving deaths in police custody and in hospital or in connection with medical treatment and those involving health and safety issues.
- Licensing.

Recommendations for Crime

Chambers & Partners

- In 2012: *“Paul Greaney Q.C.’s practice encompasses regulatory, appellate and serious crime. Sources describe him as “very industrious” in his pursuit of clients’ interests”.*
- In 2011: *“New silk ... especially noted for his client handling ... also received praise for his ‘excellent advocacy skills”.*
- In 2010: *“... at Park Court Chambers is ‘outstanding junior advocate’ Paul Greaney. He tackles cases for the prosecution and the defence and is a master of murder, fraud and other criminal cases. Commentators note that he has had a particularly good couple of years having appeared in cases such as R v Norris, the murder by a nurse of four of his patients” – Top of Band One of criminal juniors.*
- In 2009: *“eloquent and charismatic” – Band One of criminal juniors.*
- In 2008: *“his victories speak for themselves”.*
- In 2007: *“well known ... ”.*

Legal 500

- In 2012: *“... has the rare ability to control the courtroom no matter who the tribunal is”.*
- In 2010: recommended criminal practitioner.

- In 2009: *“Noted criminal practitioner...has successfully modified his Practice into regulatory areas”*.
- In 2008: *“excels in serious crime”*.
- In 2007: *“strong junior”*.
- In 2006: *“now leading in heavy cases”*.

Recommendations for Professional Discipline

Chambers & Partners

- In 2011: *“New silk ... scores well with solicitors”*
- In 2010: *“Paul Greaney of Park Court Chambers is a top choice for medical defence work in the North. ‘There is absolutely nobody in the same league as him on circuit’ say commentators”*.
- In 2009: *“Paul Greaney of Park Court Chambers is a popular choice for serious and long-running issues, rather than more run-of-the-mill cases. He is highly sought-after as a result of his lengthy experience and the clarity with which he explains his position”*.
- In 2008: *“Paul Greaney of 6 Kings Bench Walk is ‘exceptionally bright and someone who really defends hard’. His main set, Park Court Chambers in Leeds, is said to be the leading northern set for police disciplinary law and Greaney provides the backbone”*.

Experience

Serious Crime

Has prosecuted and defended in many homicide cases, including cases involving complex scientific and medical issues eg:

- *R. v Wilkinson [2012]*: defence of a soldier who, on return from active service in Afghanistan, shot and killed a friend; complex psychiatric issues; defence of diminished responsibility under the new section 2 test.
- *R. v Afzal Arif and others [2012]*: eight handed prosecution of persons for the murder of Gavin Clarke (aka “Nasty”, a well known figure in Chapeltown) and conspiracy to pervert the course of justice; the killing provoked rioting in Leeds.
- *R. v Sorby [2012]*: defence of a man charged with the murder and attempted rape of a 94 year old lady during a burglary at a nursing home.
- *R. v Dawson [2011]*: defence of a man charged with the attempted murder of another man in what was alleged to be a gangland context.
- *R. v Heslop [2011]*: defence of a man charged with the attempted murder of his former partner against a background of domestic violence and breaches of a restraining order; major bad character issues.
- *R. v Hope [2011]*: defence of an 18 year old woman who was charged with murder as a secondary party.
- *R. v Richardson [2011]*: defence of a man charged with murder as a secondary party.
- *R. v Bellfield [2011]*: prosecution of a young mother who killed her child whilst suffering from paranoid schizophrenia; highly complex psychiatric issues; defence of diminished responsibility under the old section 2 test.

- *R. v Kareem and Osman [2011]*: prosecution of two men for attacks on and the robbery of three students in their own home, one of whom was tortured and murdered with his throat cut.
- *R. v Saint and Leck [2011]*: prosecution of two men for the murder of a vulnerable man in his own home during the course of an acquisitive crime; complex scientific issues relating to, in particular, footwear impressions. Also acted in the Court of Appeal in Leck's sentence appeal.
- *R. v Croasdale [2010]*: defence of a former rugby player charged with manslaughter.
- *R v Shaozhe Wang and others [2010]*: defence of a Chinese national charged with the murder of the "boss" of a cannabis factory at which he worked.
- *R. v Wright [2010]*: defence of a 63 year old man charged with the murder by shooting of one man and the attempted murder of another; the defendant had a previous conviction for murder.
- *R v Slade and others [2009 – 2010]*: two trials of the leader of an organised crime group lasting together for six months; conspiracy to murder (trial one) and conspiracy to rob (trial two).
- *R v Morley*: murder followed by cannibalistic desecration of body; later reported on an issue relating to minimum term.
- *R v Arza Khan and others*: contract killing; multi-handed prosecution.
- *R v Anthony Davies and others*: murder carried out by organised criminals; nine-handed prosecution.

- *R v Colin Norris*: murder by a nurse of four of his patients and the attempted murder of a fifth; highly complicated medical and expert evidence issues; five month trial.
- *R v Mohammed Niaz Khan and others*: gangland murder; multi-handed prosecution.
- *R v Rahman and others*: murder of a 16 year old boy during gang violence; multi-handed prosecution; resulted, eventually, in House of Lords ruling on joint enterprise in homicide.
- *R v Merrymouth Limited*: gross negligence manslaughter prosecution of a company and its managing director.
- *R v Change of Style Limited*: gross negligence manslaughter prosecution of a company and its managing director.
- *R v English*: murder by a man of his partner.
- *R v Stone* - manslaughter during a fight.
- *R v Clearserve Limited* - gross negligence manslaughter prosecution of a company and its directors.

Has appeared in a number of serious and complicated fraud cases including S.F.O prosecutions, eg.

- *R v. B [2011]*: defence of a solicitor charged with a fraud on the client account of the firm of which she was principal.
- *R v K.D [2010]*: defence of the first defendant in a trial arising out of an alleged massive procurement fraud on contractors within the railway industry.

- *R v M*: defence of a woman charged with a substantial fraud on an NHS trust.
- *R v M*: defence of a managing director accused of a fraud on his own company.
- Currently instructed to lead teams on behalf of the prosecution in (a) the prosecution of a many-handed £200,000,000+ mortgage fraud and (b) the prosecution of solicitors charged with a fraud on the client account.

Has appeared on behalf of police officers in many serious cases, including cases in which police officers have been charged with manslaughter and serious corruption, eg.

- *R v Dunn*: police officer charged with gross negligence manslaughter arising out of a death in custody; complex medical issues; the “Christopher Alder” case.
- *R v Hickinbottom*: police officer charged with manslaughter arising out of the death of a released prisoner alleged to have been “dumped” in the middle of nowhere; complex medical issues.
- *R v Henderson*: police officer charged with multiple offences of rape.
- *R v Linscott*: police officer charged with misconduct in a public office arising out of a death in custody.

Has appeared on behalf of members of the legal profession charged with serious criminal offences.

Regulatory Offences

Has been involved in many serious and complicated health and safety prosecutions, including cases involving multiple fatalities and complex

issues of law. That has involved defending individuals, companies and organisations facing allegations, and prosecuting such cases, eg.

- *R. v UK Coal Plc, JA and TD [2011]*: defence of the manager of a coal mine on a prosecution arising out of a mining fatality.
- *R. v WEFCO (Gainsborough) Limited [2011]*: defence of a company charged in respect of a serious crushing accident.
- *R. v Craegmore Healthcare Limited [2010]*: prosecution of a company operating care homes in respect of the death of a patient caused by restraint.
- *R v Matrix Direct Recycle Limited and CT [2010]*: defence of the operations director of a company on charges arising out of mercury poisoning of company employees.
- *R v Next Distribution Limited [2009]*: defence of national company on serious health and safety charges.
- *R v MacDonald [2009]*: defence of prominent distributor of pesticides by DEFRA.
- *R v H.T.M*: prosecution arising out of a double fatality; Crown Court at Middlesbrough; led to the leading case on a number of aspects of health and safety legislation.
- *R v Pola*: defence of a businessman said to be responsible for building work causing an accident which severely disabled a worker; led to a Court of Appeal ruling on the ambit of the term “employment” in the 1974 Act.
- *R v Richmond Homes Limited*: defence of a company and its managing director; asbestos case.

→ *R v Strimech Engineering Limited*: prosecution of a company in respect of a fatal accident.

Public Law:

Particularly claims relating to the criminal justice system, police law and coronial law. Cases have included:

- Challenges to the jurisdiction of the Crown Court (*R. (W) v Leeds Crown Court [2012] 1 Cr.App.R 13*).
- Challenges to inquest verdicts (*R. (Dawson) v Hull Coroner*).
- Challenges to decisions of the D.P.P not to prosecute (*R. (M) v DPP*).
- Challenges to the ECHR compatibility of the predecessor body to the IPCC (*R. (Boot) v PCA*).
- Challenges to decisions made in police misconduct proceedings (*R. (Wilkinson) v Chief Constable of West Yorkshire*, *R. (Kay) v Chief Constable of Northumbria (no 1 and no 2) [2010]*; *R. (French) v Chief Constable of West Yorkshire [2011]* and *R. (Montgomery) v Police Appeals Tribunal and the Commissioner of the Metropolis [2012]*).
- Challenges based on bias by decision makers (*R. (Dawson) v Hull Coroner* and *R. (French) v Chief Constable of West Yorkshire [2011]*).
- Challenges to decisions of the GMC, representing the GMC (*R. (Evans) v GMC [2010]*).

Inquests

Has acted on behalf of police officers, doctors and other interested persons at inquests involving deaths in police custody and in hospital or in connection with medical treatment. That has included:

- Acting on behalf of many custody sergeants in relation to deaths in custody, eg the Christopher Alder Inquest (the longest single death inquest in history).
- Acting on behalf of a police officer involved in the death of a football fan during football violence, the Coles Inquest.
- Also appears on behalf of interested persons at inquests involving complicated health and safety issues. Long experience of acting on behalf of individuals, companies and organisations at such hearings.

Thorough knowledge of the inquest procedure and coronial law and of the Administrative Court procedure and public law relating to inquests.

Disciplinary Proceedings

Represented the Football Association in the proceedings brought against Luis Suarez, the Liverpool player in respect of his racial abuse of Patrice Evra, the Manchester United player.

As a junior appeared on behalf of accused police officers in many of the misconduct cases involving allegations of serious corruption in the North East during the 1990s and 2000s.

- Operations Lancet and Eagle: the proceedings arising out of the investigation into Superintendent Ray Mallon, now the Mayor of Middlesbrough.
- Operations Passport and Visa: the “Cross-Border” case, which concerned allegations that officers supplied drugs and fabricated admissions.

- Has also appeared on behalf of accused officers in other substantial misconduct proceedings, eg. Operation Cosmos (the Tania Moore case).

Licensing

Has acted on behalf of those applying for licences and also for Police Forces. Has also undertaken firearms licence appeals.

Commonwealth Cases

Has conducted cases in Fiji, including in the Court of Appeal and Supreme Court of Fiji as a temporary member of the Bar of Fiji.

Recent Appellate Level/Administrative Court Cases

- *R. (on the application of Montgomery) v. Police Appeals Tribunal and the Commissioner [2012]*: important case on the operation of the police misconduct regime.
- *Attorney-General's Reference No 107 of 2011 [2012] EWCA Crim 459*: sentences of imprisonment for public protection.
- *R. (on the application of W) v Leeds Crown Court [2012] 1 Cr.App.R 13*: power of the Crown Court to remit a child for trial in the Youth Court.
- *R. v Valentine [2012] 1 Cr.App.R.(S) 42*: sentence for money launderers.
- *R (on the application of French) v Chief Constable of West Yorkshire Police [2011] EWHC 546 (Admin)*: challenge to decisions made in police misconduct proceedings.

- *R (on the application of Kay) v Chief Constable of Northumbria Police (no 2)* [2010] ICR 974, [2010] EWHC 31 (Admin): whether the Chief Constable could be compelled to reinstate the Claimant following a declaration in earlier proceedings that he had acted unlawfully and in breach of his duty in dispensing with her services as a probationary constable.
- *R (on the application of Kay) v Chief Constable of Northumbria Police (no 1)* [2010] ICR 962, [2009] EWHC 1835 (Admin): the Chief Constable had acted unlawfully and in breach of his duty in dispensing with the services of a probationary constable.
- *R v Morley* [2009] Times LR July 6: minimum term on conviction for murder; post-mortem cannibalism.
- *R v Pola* [2009] Crim LR 603: meaning of “employer” in health and safety legislation; [2010] 1 Cr.App.R (S).6: compensation orders.
- *R v Rahman and others* [2008] 3 W.L.R. 264: House of Lords; leading case on joint enterprise in homicide; also appeared in Court of Appeal (*R v Rahman* [2007] 2 Cr App R 16) and at first instance.
- *R v Hickinbottom* [2007] Inquest LR 1: manslaughter by gross negligence.
- *R v Brady and Paton* [2007] 1 Cr. App. R. (S) 117: minimum term on conviction for murder.
- *R v H.T.M Ltd* [2007] 2 All ER 665: leading case on the reasonable practicability “defence” in the Health and Safety at Work etc Act 1974 and on the effect of regulation 21 of the Management of Health and Safety at Work Regulations 1999.
- *R (on the Application of Ashton) v Chief Constable of West Yorkshire* [2005] Po.LR 313.

- *Attorney-General's Reference No 95 of 2004 [2004] EWCA Crim 3028*: whether public service is a mitigating factor where an offence is committed in private; relevance of complainant's conduct in sentencing for domestic violence.
- *Southwick v State [2004] FJSC 3*: human rights compatibility of the Criminal Procedure Code of Fiji - Supreme Court of Fiji.
- *Kelly v DPP [2003] Crim L.R 45*: whether proximate events may constitute a course of conduct for the purposes of the Protection from Harassment Act 1997.
- *Attorney-General's Reference No 1 of 2002 [2002] Crim L.R 410*: whether the common law offence of perverting the course of public justice is committed where false evidence is given or made, not to defeat what the witness believes to be the ends of justice, or not to procure what the witness believes to be a false verdict.
- *Attorney-General's Reference No 25 of 2002 [2003] 1 Cr.App.R(S) 130(28)*: appropriate sentence for section 18 glassing.
- *R (on the application of Dawson) v HM Coroner for East Riding and Kingston upon Hull [2001] All ER (D) 246 A.C.D. 68*: test for bias in inquest proceedings; bias alleged to result from counsel for the family conducting a relationship with a juror.
- *Boot v Police Complaints Authority [2001] EWHC Admin 982*: human rights compatibility of the police complaints authority procedure.
- *R v Cerovic [2001] All ER (D) 14*: whether D's previous acquittal for the attempted murder of S is admissible on D's trial, a number of years later, on a charge of threatening to kill S.

- *R (on the application of Wilkinson) v Chief Constable of West Yorkshire [2002] Po.LR 328*: relevance at full JR hearing of alternative remedy decision at permission stage.

Other Information

Developed vetting security clearance.