



New Park Court

Alistair MacDonald QC

#### Leeds

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# Alistair MacDonald QC

Year of call 1983 / 2000

For enquiries please call +44 (0)113 203 5504 or email

Alistair Macdonald QC prosecutes and defends in the most serious crime cases, including murder and serious drugs offences.

His particular strength is in criminal offences involving complex medical or scientific issues, infant deaths and complex arson cases.

Regulatory crime and fraud are also his strengths and he is able to get to the crux of a case extremely quickly and instils confidence in clients like few others.

## Medical & Scientific Experience

- 1978-1982: Research Assistant, Liver Unit, King's College Hospital Medical School. Work on the origin of liver disease associated with cystic fibrosis. Work on the immunology of liver transplantation.
- 1976-1978: Toxicologist Department of Forensic Medicine, Charing Cross Hospital Medical School.
- 1975: Institute of Animal Physiology, Cambridge. Original research on pig lymphocytes (paper published).
- 1974: Central Veterinary Laboratory, Weybridge. Work on the analysis of human foodstuffs to detect organophosphate pesticide residues.

## Other Information

Alistair's happy to accept instructions electronically and have substantial experience of electronic presentation of the evidence.

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Alistair is committed to developing innovative ways of presenting evidence, particularly so as to render material more user friendly for the jury. He has worked with police and private audio-visual units so as to produce hard hitting and effective ways of making evidence stick in the minds of the jury.

# Homicide

## Representative Cases

- *R v Martin Vernarsky (2012)*

Defended allegation that the defendant, who was a Czech national, had murdered his Hungarian girl friend by strangulation. The defendant was acquitted of murder but convicted of manslaughter.

- *R v Janine Birch (2012)*

Defended in murder in which the defendant was alleged to have stabbed victim and then trampled over his body causing broken ribs. She had then spat on him and verbally abused him. The defendant was acquitted of murder and convicted of unlawful act manslaughter. Having been sentenced, the judge, after a substantial delay, brought the defendant back to re-sentence her on the basis that he had given her excessive credit for her pre-trial offer of manslaughter. After reading extensive skeleton argument reviewing all authorities on this subject, judge left sentence unaltered.

- *R v Alan Cooper (2011)*

Defended in one of first cases to raise defence of abnormality of mental functioning. The defendant had killed his 14 year old nephew in full view of the defendant's mother.

- *R v Melanie Cole (2011)*

Defended in murder of elderly man in his own home by the defendant who was a chronic alcoholic and drug user.

- *R v Jevgeni Matjuhha (2011)*

Prosecuted Estonian national for murder of his girlfriend. One of the first cases in which the new defence of loss of control was pleaded. Substantial evidence by video link from Estonia with much protocol to deal with in order to receive evidence. Defendant convicted.

- *R v Dawid Grabowski (2010)*

Defended in murder in which a man was beaten to death in a chance encounter on the street. The defendant had severe mental illness and was housed at Rampton Special Hospital.

- *R v Nazar Hussain (2009)*

Represented the Crown in the Court of Appeal in a case in which eight members of one family were killed as a result of an arson attack on their house.

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Complex issues of contamination of exhibits which were in nanogram amounts. Detailed analysis of mass spectrometry / gas liquid chromatography findings.

- *R v A (2008)*

Defended alleged killing of baby by father. Prosecution called nine experts and defence called one expert. Jury unable to agree. Before re-trial held, prosecution offered no evidence and the defendant acquitted. Exceptionally heavy and complex medical issues.

- *R v Davin Mirfin (2008)*

Prosecuted double murder of ex-girlfriend of the defendant and her new boyfriend. Complex scientific issues. No direct evidence against the defendant. Defendant convicted.

- *R v X (2007)*

Defended dental surgeon allegedly involved in joint enterprise "honour killing". Defendant acquitted.

## Drugs

### Representative Cases

- *R v Qureshi (2009)*

Prosecuted defendant for importation of very large quantities of Class A and B drugs from Belgium. The defendant had absconded when other defendants had been tried. Difficult case given that in original trial, some defendants had been convicted and one acquitted. The defendant was convicted.

- *R v Ververgaert & Others (2009)*

Prosecuted the defendant for importation of industrial quantities of Class A drugs from Holland. Defendant convicted.

## Sexual Offences

### Representative Cases

- *R v N (2011)*

Defending male nurse charged with sexual assault on patients emerging from anaesthesia. Multiple counts. Involves complex issues about the psycho-pharmaceutical effects of anaesthetic agents. Acquitted on some counts, convicted on others. Case before Court of Appeal for determination of cross-admissibility of counts where a recognised medical phenomenon (anaesthetic-induced hallucination) may

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explain complainants' experiences.

- *R v R (2006)*

Defended male nurse charged with raping 80-year-old patient terminally ill with brain tumour. Defendant acquitted.

## Kidnapping

### Representative Cases

- *R v Ting Fu Guo (2011)*

Defended in case in which a Chinese shipping millionaire's son was held captive and assaulted for five days. He was tortured in the course of his abduction. A ransom demand of £1.27m (\$2m) was made.

- *R v Miah & Liban Mohammed*

Prosecuted defendants for kidnapping and blackmail in relation to the taking of a 14-year-old boy and threats to his parents that the kidnappers would chop his arms, legs and head off should their ransom demands not be satisfied. Defendants convicted and sentenced to terms of custody of 17 and 11 years.

## Fraud

### Representative Cases

- *R v RD (2012)*

Defended company director on charges of multi-million pound fraudulent trading in relation to his car hire business. Case into fifth week when trial had to be aborted because of illness of the defendant. Intensely complex case involving minute detail of hire purchase transactions in London and the North-West.

- *R v PSK (2011)*

The defendant was bank employee alleged to have been insider assisting other defendant to commit large-scale fraud on bank. The defendant acquitted. Co-accused convicted.

- *R v Mirzabegi (2008)*

Prosecuted £2.5m fraud on VOSA. 28,000 MOT certificates were issued fraudulently. Became involved in case after irregularities at first trial. Defendants convicted.



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- *R v M (2006)*

Company director and his accountant charged with revenue fraud. Substantial issues between defendants and interpretation of taxation legislation. Defendant acquitted whereas accountant convicted.

## Judicial Review & Inquests

### Representative Cases

- *R (on the application of Adeo Fernando Francisquini) v Legal Services Commission*

Challenge of decision of LSC to refuse inquest funding for bereaved father and husband whose relatives had died in the fire at Lakenal House in London. Represented family of deceased before Bedfordshire Coroner in circumstances in which allegation was that police had acted negligently in dealing with the deceased shortly before his death leading to his murder by an intruder to his house.

## What the directories say

"He is absolutely phenomenal in court, in preparation and in his intellectual ability." "His court presentation techniques make complex evidence clear and understandable for a jury, and his cross-examination of witnesses is formidable."

*Chambers and Partners 2021 (Crime)*

'Knowledgeable, reliable and calm.'

*Legal 500 2021 (Crime)*

"His gravitas is fantastic; when he speaks in court, everybody listens."

*Chambers & Partners 2020 (Crime)*

"He is very robust and very experienced."

*Chambers & Partners 2020 (Crime)*

"Knowledgeable, reliable and calm."

*Legal 500 2019 (Crime)*

"Offers vast experience in complex homicide and major fraud matters, while his prior training as a biochemist

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only serves to strengthen his performance in matters containing a scientific element."

*Chambers & Partners 2019 (Crime)*

"Very well respected, very knowledgeable and a great advocate with extra skill from his scientific background."

*Chambers & Partners 2019 (Crime)*

"Very experienced in cases of complex fraud and murder."

*Legal 500 2018 (Crime)*

"An excellent silk who is extremely able."

*Chambers & Partners 2018 (Crime)*

"A very accomplished advocate."

*Legal 500 2017 (Crime)*

"Well established in the market, he has a stellar reputation for his deft handling of serious crime cases."

*Chambers & Partners 2017 (Crime)*

"He is a class act in every way."

*Legal 500 2016 (Crime)*

"He is able to get to the crux of a case extremely quickly and instils confidence in clients like few others."

*Chambers & Partners 2016 (Crime)*

"He is an exceptionally brilliant advocate who is loved by juries and judges alike."

*Chambers & Partners 2016 (Crime)*

"If you want a real leader on the case, then look no further; he really is that good."

*Legal 500 2015 (Crime)*

"He is a very good and persistent advocate."

*Chambers & Partners 2015 (Crime)*

"Top-flight barrister and universally spoken of in terms of the highest respect."

*Chambers & Partners 2013 (Crime)*

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# Appointments & Memberships

Chairman of the Bar Council (2015)

Vice Chairman of the Bar Council (2014)

Leader of the North-Eastern Circuit (2012)

Joint Head of Chambers (2011)

Serious Fraud Office Panel (2008)

Director of Continuing Education North-Eastern Circuit (2007-2012)

Master of the Bench Gray's Inn (2007)

QC (2000)

Serious Sexual Offences Authorisation (1996)

Recorder (1995)

Criminal Bar Association

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