



Conall Bailie

Call 2016

Conall Bailie specialises in criminal law, appeals and crime-related public law.

He appears regularly in the Crown Court on behalf of the defence and prosecution, on both a private and publicly-funded basis. As a junior alone he has been successfully instructed in cases involving serious violence, drugs, modern slavery, conspiracies, and firearms and as a led junior has acted in matters involving large scale importation of drugs, and high value fraud.

Conall is always happy to provide advice on appeals and fresh evidence. Most recently he appeared successfully in the Court of Appeal in *R v S* [2019] EWCA Crim 2476, and is currently instructed in several cases before the Divisional Court including an appeal concerning Stonehenge protests.

Conall is also instructed regularly in summary trials acting for the defence across a range of criminal offences including driving matters and allegations of domestic violence. He is qualified to accept instructions directly from the public on these and other matters.

Prior to joining 2BR, Conall was employed by Herbert Smith Freehills and Linklaters as a paralegal. He defended in cases prosecuted by the SFO, the FCA, and the Securities and Exchange Commission involving allegations of fraud, and also assisted in the defence of News Group Newspapers against allegations of phone hacking.

Practice Areas

Fraud

Conall is instructed to prosecute and defend in all manner of fraud offences, and during pupillage had the opportunity to assist in the defence of several high value 'boiler-room' type frauds.

He was previously employed by Herbert Smith Freehills and Linklaters as a paralegal. He defended in cases prosecuted by the SFO, the FCA, and the Securities and Exchange Commission involving allegations of fraud.

Notable fraud cases

R v DS

Charged with defrauding an elderly patient, the Crown discontinued proceedings after Conall highlighted deficiencies in their evidence.

R v MR

Alleged to have dishonestly claimed benefits to the value of £9,000 over a lengthy period of time, following representations by Conall MR was sentenced to a small fine.

Prosecution

Conall accepts instructions to prosecute on behalf of the Crown Prosecution Service and Probation Service. He conducts all types of hearing in the Crown Court and Magistrates' courts, including trials, sentencing hearings, and preliminary hearings, as well as appeals against conviction and sentence.

During pupillage Conall was also involved in private prosecutions and has experience in the conduct of such matters, including specific expertise advising on disclosure.

Conall also has familiarity in the prosecution of matters by local authorities, and public bodies such as Transport for London.

Criminal Defence

Conall has developed a defence practice acting on behalf of individuals charged with a range of offences in the Crown Court, Youth Court, and Magistrates' Court.

Conall regularly defends in matters involving the full spectrum of criminal offences, including drugs, violence, and acquisitive offences.

Conall also accepts instructions to represent clients charged with all motoring offences including driving with excess alcohol, speeding, and dangerous driving. He is experienced in applications for exceptional hardship or special reasons on behalf of his clients.

Notable criminal defence cases

R v CP

Charged with s. 20 GBH, Conall successfully argued to exclude key prosecution evidence causing the Crown to offer no evidence.

R v GH

GH was an elderly client charged with witness intimidation. Following representation at trial by Conall, GH was acquitted and maintained his good character.

One of several defendants charged with taking part in a race on a public road, having been videoed by a police officer conducting laps at speeds in excess of 90mph. After submissions on the law led by Conall, all defendants were acquitted.

R v JB

Acquitted of stalking his ex-partner after Conall exposed deficiencies in the conduct of the police investigation and failings in the Crown's duties of disclosure during his cross-examination of the prosecution witnesses.

R v EK

EK pleaded guilty at the Crown Court to smuggling a quantity of drugs into prison for onward sale. Following representation by Conall throughout the proceedings, he managed to secure a sentence of a community order with unpaid work.

R v JB

Accused of assaulting his partner. Conall represented him at trial and cross-examined his ex-partner and young son on their allegations. JB was acquitted of all charges.

Regulatory

Conall accepts instructions in all matters concerning regulatory breaches.

He is instructed to appear for both sides before various disciplinary panels, including the Nursing and Midwifery Council, and the General Optical Council, and has previously conducted work on secondment with the Association of Optometrists.

Conall also deals with matters brought by regulators in the criminal courts, and has a growing practice representing those accused of environmental crimes in prosecutions brought by local councils, and the Environment Agency.

Notable regulatory cases

Environment Agency v X Ltd

Instructed in a four-handed prosecution to represent a company and director accused of long-standing breaches of environmental protection regulations.

Southend Borough Council v TC

Represented TC, who owned a company alleged to have committed multiple breaches of waste disposal regulation. All allegations were dropped following criticism of the Council's prosecution processes.

Confiscation

Conall is experienced in providing representation in all manner of confiscation proceedings, including contested POCA hearings in the Crown Courts.

Conall also provides advice in relation to forfeiture and freezing orders in the Magistrates' Court and has previously assisted in advising clients subject to NCA freezing orders in the High Court.

Notable confiscation cases

EA v C

Represented a company subject of contested POCA proceedings alleging a benefit figure of over £5 million.

International

Conall has a solid grounding in all elements of international criminal law, international humanitarian law, and matters with jurisdictional issues.

He has previously worked in The Hague on the case of *Prosecutor v Stanišić & Simatović* MICT-15-96, assisting in the defence of Jovica Stanišić during his trial for war crimes and crimes against humanity before the United Nation's Residual Mechanism.

Conall was also retained in the matter of *R v. AG and ors.* a matter concerning military and dual-use items exported to Iran in breach of international sanctions and involving complex questions of jurisdiction and Customs and Excise legislation.

Publications

- CPS Panel Advocate Grade 2

Memberships

- Criminal Bar Association
- Young Fraud Lawyers Association

Qualifications

- Churchill Scholarship, Gray's Inn
- Headridge Award, Gray's Inn
- BPTC, Outstanding, University of Law
- LLB Law (Hons), Durham University