



Alistair Fell

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Alistair is a proficient criminal practitioner with substantial experience of prosecuting and defending in criminal cases. He now specialises in defence advocacy, covering sexual offences, drug trafficking, fraud, violence and other areas of major crime.

Alistair has represented a wide variety of clients and fearlessly protects their interests. He works effectively with his instructing solicitors and clients and has a calm reassuring disposition that puts clients at ease.

With substantial experience in conducting jury trials, Alistair is confident, persuasive and focused in court.

Alistair has established good working relationships with his instructing solicitors, through industry and consistency in the quality of his work.

He has appeared frequently before the Court of Appeal where he has successfully appealed against both conviction and sentence.

Crime

Fraud & Corporate Crime

Alistair has experience in defending in sophisticated fraud cases over many years. These include:

- **R v O (2017)** Defended 20 counts of defrauding car finance companies of high value motor-vehicles worth £400k. The jury returned mixed verdicts.
- **R v R (2015)** Successfully defended a client charged with 5 others in a multi-million pound land banking fraud where numerous investors lost substantial sums investing in worthless plots of land.
- **R v H (2014)** Successfully represented a wife charged (with her husband) with cheating her brother-in-law out of the proceeds (exceeding £1m) of his mother's will.

Sexual Offences

Alistair has substantial experience in defending in some of the most serious sexual offences. He has defended in trials involving multiple rape allegations; very young child witnesses and complex cases, and historic sexual abuse. These cases require sensitive and focused cross-examination in which Alistair has vast experience.

- **R v R (2016)** Represented a client charged with raping his partner. He had made partial admissions to the police but was found not guilty by the jury.
- **R v N (2015)** Successful defence of a man with no criminal history, charged with sexually assaulting a female on the London Underground.
- **R v T (2015)** Represented the first defendant in a multi-handed rape case. He was a youth charged with multiple rape allegations made by three different complainants. The jury was unable to agree on the verdicts and a retrial was ordered.
- **R v L (2015)** Successful defence of 2 counts of attempted rape where the evidence included the disclosure of the client's previous convictions and 'body cam' evidence of the complainant immediately after the alleged rape.
- **R v M (2014)** Defence of alleged sexual assault of a female police officer during a fight outside a nightclub. The client was alleged to have squeezed the police officer's bottom. Eventual disclosure of CCTV evidence showed he was not the offender: case dropped at court.

Proceeds of Crime (POCA)

Alistair has defended in numerous cases involving POCA proceedings. He has substantially reduced the size of confiscation orders and in some cases managed to avoid any substantive orders being made at all.

- **R v B (2014)** Defending a £250k confiscation claim from a convicted money launderer. The claim was rejected after 2 days of evidence and legal argument: order made for £3.5k
- **R v O (2013)** The prosecution sought £500k in 'hidden assets' from a defendant said to have benefited from money laundering in the sum of £1.5m. After discussion at court, the prosecution conceded there was no legitimate basis for pursuing the case.

Other Serious Crime

- **R v S (2018)** Successfully defended possession of sawn off shot gun with client's DNA on trigger.
- **R v B (2018)** Successfully defended robbery of prostitutes at knife point in a brothel.
- **R v P (2017)** Successfully defended a prostitute accused of stabbing her 'client' during a dispute over payment for sexual services.
- **R v W (2017)** Successfully defended an allegation of GBH, burglary and robbery against a Special Constable whose credibility was seriously undermined during cross-examination.

- **R v A (2016)** Successfully defended an aggravated burglary with a firearm. The complainant refused to give evidence through fear and his statement was read to the jury.
- **R v A (2016)** Successfully defended a street robbery where the complainant died shortly before trial. After lengthy legal argument the judge ruled that the deceased's witness statement should be read to the jury.
- **R v A (2014)** Successfully defended possessing a firearm found in a bag at the defendant's home address, which was occupied by several people. After legal argument the judge ruled that there was insufficient evidence to proceed to trial.
- **R v D (2014)** Successfully defended one of seven defendants charged with blackmail: the principal defendant was charged with an attempted 'honour' killing.
- **R v H (2013)** Successful defence of the importation of 150 kg of cannabis with a street value of £400k. The prosecution relied upon mobile phone evidence and proximity to the drugs.

Road Traffic Offences

Alistair has represented clients in most areas of road traffic offending, including the most serious allegations. One major success was the case of R v J where the defendant was charged with causing death by dangerous driving: he had allegedly fallen asleep whilst driving and crashed into a HGV, killing his best friend who was in the front seat. The defendant was found not guilty, but convicted of careless driving.

Inquiries & Appellate Work

Alistair has conducted successful appeals at the Royal Courts of Justice over the last 20 years, drafting complex grounds and making clear and concise submissions.

- **R v V (2016)** Successful appeal against harassment sentence - sentence reduced by 8 months.
- **R v J (2014)** Successful appeal against robbery sentence - sentence reduced by several months.
- **R v W (2013)** Successful appeal against drugs sentence - sentence reduced from 8yrs to 6yrs.
- **R v B (2009)** Successful appeal against robbery conviction. The appeal centred on an interpretation of the law relating to bad character evidence. The appeal against conviction was allowed on the basis the trial judge should not have disclosed the client's previous convictions to the jury. At retrial, the defendant was acquitted.

Educations

Bar Vocational Course (Inns of Court School of Law) (1994)

LLM (London School of Economics) (1993)

LLB (London School of Economics) (1992)

Memberships

Criminal Bar Association

Middle Temple

South Eastern Circuit