



## **Marc Brown**

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Marc is an experienced criminal practitioner who prosecutes and defends as both a leading and led junior across the range of criminal offending.

He has wide experience of cases involving murder, serious violence, sexual offending & financial crime.

He has a particular expertise in cases that involve the use and misuse of technology.

He undertakes cases involving hacking, the creation of malevolent software; and general computer enabled crime such as manufacture and distribution of indecent material.

He also undertakes some quasi-criminal administrative law work, and regularly appears on behalf of the Criminal Cases Review Commission in judicial review proceedings.

Marc was appointed to grade 4 on the CPS General Crime Panel in December 2019. He was appointed to the Rape and Serious Sexual Offences panel in 2015.

### **Crime**

#### **Military Crime**

Marc regularly appears at courts martial both here in the UK and abroad. In addition he has appeared at summary appeals and MCTC adjudications.

#### **Regulatory and Licensing**

He undertakes all types of regulatory work including, Health and safety, food safety, building regulation breaches, noise nuisance, taxi licensing, and is instructed in cases relating to both the obtaining of, variation of, and breaches in relation to personal and premises licences.

#### **Prison Law**

Marc takes instructions in relation to all aspects of Prison Law, including advising on the correct

interpretation of sentences, and the application of those sentences under the various prison regimes. He appears at both parole board hearings and prison adjudications. He has appeared for prisoners in the High Court on applications for judicial review.

## **Public Law**

Marc regularly receives instructions in relation to applications for Judicial Review, notably to appear on behalf of the Criminal Cases Review Commission in respect of challenges to decisions not to refer cases back to the Court of Appeal Criminal Division. He also appears in prison law cases.

## **Notable Cases**

- R v. E [2018] - Leading Junior - defending Complex computer misuse case concerning the design sale and distribution of crypter software on the dark web
- R v C [2018] - Successful prosecution of defendant for both indecent images of children offences, and the conduct of live abuse over the internet. Various complex technical methods used to disguise activity.
- R v M [2015] - Junior Alone - Prosecuting Successful prosecution of a former lecturer in criminal law for indecent images of children offences. Case made complex by the defendant's use of virtual machine technology and encryption to obfuscate his criminality and by his decision to represent himself at trial.
- R v L [2015] - Junior Alone – Prosecuting - Successful prosecution of defendant accused of non-recent offences involving the daily rape of his daughter between the ages of 9 and 19.
- R (on the application of AC) v CCRC [2017] EWHC 1219 (Admin) - Led Junior - Murder – nightclub attack with bottle. Challenge to the Commission's role when determining matters of law for the purpose of deciding whether to make a reference to the CACD. Consideration of the 'tenability' test. [[LAW REPORT](#)]
- R (on the application of JB) v CCRC [2012] EWCA 3768 Admin – Junior Alone – The White House Farm killings, a notorious multiple murder of 5 family members in 1985. Successfully resisted an application for a judicial review of the defendant's refusal to refer the case back to the CACD in respect of new ballistic evidence. [[LAW REPORT](#)]
- R (on the application of T) v CCRC [2012] EWHC 1462 (admin) - Led Junior. - Joint enterprise murder, child defendant. Successfully resisted application to refer case back to CACD based on competence of leading counsel at trial, and perceived conflict of interest.
- R (on the application of MS) v CCRC (2011) (unreported) – Junior Alone - The Chillenden murders (Lynn and Megan Russell). Junior alone. Successfully resisted an application for judicial review of the Commission's refusal to refer the case back to the CACD in respect of new material said to undermine cell confession evidence used at trial.

## **Education**

University of Essex.

Inns of Court School of Law.

Scholarships: Lincoln's Inn Cassel Scholar 2000.