



## ASHLEY UNDERWOOD QC

Year of call 1976    Silk 2001

Ashley Underwood QC is a hugely experienced public lawyer. He routinely conducts judicial review work for and against public bodies. He is on the Attorney General's panel of Special Advocates for national security work and regularly appears in SIAC and the High Court in relation to terrorism cases.

He is also a member of the Bar of Northern Ireland and is instructed in many of the major 'legacy' cases concerning allegations of State collusion in torture and murder. He is instructed on highly confidential matters of national security.

He is a prominent practitioner in inquests and inquiries, having acted as Counsel to a significant number of important investigations and also as Counsel to Interested Parties and Core Participants in others. Ashley's current instructions include:

- *Representing family members in the inquests into the deaths of Shukri Abdi and Dylan Freeman*
- *The challenge in Grand Cayman to the decision to remove two prisoners serving life sentences for murder to prisons in the UK*
- *As Special Advocate, in challenging the failure to hold a public inquiry into the Omagh bombing*

Ashley has extensive experience in commercial and regulatory work for companies and for local government, which has included drafting standard terms of business and policies, arbitrating in disputes and acting in relation to licensing disputes. He has also appeared in many of the leading housing cases in the Appellate Courts.

Ashley's regular clients include the Government Legal Department, local authorities, coroners, police services, NGOs and individuals seeking to vindicate their human rights.

## LEGAL EXPERTISE

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## Inquests & Inquiries

Ashley is one of the most experienced practitioners at the Bar in this field. He was, successively, Counsel to the Robert Hamill Inquiry, the Azelle Rodney Inquiry and the Inquest into the death of Mark Duggan. He was Counsel to the Coroner for the In Amenas Inquests, dealing with intelligence issues. In addition he has advised Government departments and Coroners in relation to investigations. He has been retained to train Coroners in relation to the use of Counsel and to the treatment of sensitive materials.

He has advised on and acted in, a number of high-profile judicial reviews relating to inquests and inquiries, such as *Re Officer L and the R (on the application of Pamela Duggan) v HM Assistant Coroner*.

Ashley was instructed by the families of victims in the Birmingham Pub bombings and secured the Coroner's decision to conduct inquests into those deaths. He acted for two Core Participants in the IICSA. He is presently acting for family members of Shukri Abdi and Dylan Freeman in relation to their inquests.

He acts for a number of victims in "legacy" cases in Northern Ireland, including those concerning the Omagh bombing and the Kincora Boys' Home.

Ashley's experience has resulted in an ability to manage large and difficult investigations which include the handling of intelligence materials, the examination of planned covert operations, the need to deal with PII and anonymity.

## Public Law and Judicial Review

Ashley regularly represents the interests of claimants in national security cases and of local authorities in regulatory cases. He advises local authorities on issues as diverse as finance, equalities, and housing allocation.

## Selected Cases

### National security and immigration control

*S2 v Secretary of State for the Home Department* – Judgment awaited

### TPIMs

*JM v Secretary of State for the Home Department* – Judgment awaited.

### *R (Hussain) v Waltham Forest LBC* [2020] EWCA Civ 1539

Effect of the Rehabilitation of Offenders Act 1974 on applications for licenses. 19.11.2020

Strict liability for operators of unlicensed HMOs - 07.05.2020

R (Mohamed) v Waltham Forest LBC, Secretary of State for Housing, Communities and Local Government (HCLG) intervening and R (Mohamed) v Wimbledon Magistrates' Court, Waltham Forest LBC et al, Secretary of State for HCLG intervening [2020] EWHC 1083 (Admin)

## Commercial and Regulatory

Ashley has considerable experience in advising and drafting in relation to commercial contracts as well as regulatory compliance.

He is a lead lawyer for "The Uhuru Project" initiative on modern slavery. He was the leading Special Advocate on behalf of Bank Mellat in its claim against HM Treasury for damages for infringing its Article 1 First protocol rights to conduct business in the UK.

## Selected Cases