

Scott Brady KC (Scot.)

Call 1987 | Silk 2000



02073533102

Scott Brady KC is Head of Chambers. He took silk in 2000 (in Scotland) and has a wide criminal practice. He has led for both defence and Crown in murders, drug importations and frauds, and related profits of crime proceedings.

In Scotland, he was appointed by the Lord Advocate as one of his deputies prosecuting in the Scottish High Court.

He is regularly instructed in serious sex cases for both the defence and prosecution, and is a Level 4 prosecutor on the CPS Advocate Panel List. He is also on several specialist panels including the Fraud Panel, Serious Organised Crime Panel, Proceeds of Crime Panel and the Rape and Serious Sexual Offences List.

He has wide experience before all tribunals where advocacy is at a premium, including disciplinary tribunals of the legal, medical and architectural professions. He is also instructed in planning inquiries.

He has appeared in most courts at most levels, including the House of Lords, the Court of Appeal, the High Court, the Crown Court and the County Court. He appears in the Magistrates' court on driving matters and regulatory prosecutions.

He is accredited by the Bar Council to provide Public Access Services.

Expertise

Confiscation & Asset Recovery

He has appeared for both the defence and prosecution in numerous forfeiture and confiscation matters since the introduction of the confiscation regime. Notably, he appeared successfully for the defence at first instance and in the

Scottish appeal court to challenge the extent to which the court could assume that anything that could not be accounted for by the appellant could be assumed to be benefit of crime – one of the few successful challenges to the confiscation legislation in the UK.

Fraud & Money Laundering

Notable Fraud & Money Laundering cases

Appearing for the defence in a large VAT fraud. The court was persuaded to hold that the Crown had failed to prove that the Clydesdale Bank was a “bank” within the meaning of the Bankers Books Evidence Act 1879.

Appearing for the prosecution against a solicitor who had defrauded clients over fishing licence transactions and fraudulently raised money on the pretext of financing the making of a film.

Appearing for the prosecution in an immigration fraud. An immigration adviser had fraudulently lodged numerous falsified applications with the UKBA.

Health & Safety

He is experienced in leading and cross-examining expert witness on health and safety issues. His practice includes:

Prosecuting in a case involving a gas explosion in a flat which resulted in the near total destruction of a dwelling house.

Defending in a case in which a parade of shops had collapsed while under refurbishment.

Cross-examining experts in several air accident cases in which the causes of the crashes were in issue.

Murder

He has prosecuted and defended in murders.

Notable Murder cases

Defending a man accused of murdering his wife at home with a coal shovel. Provocation and diminished responsibility at issue.

Defending a youth accused of being part of a gang which had perpetrated a brutal stamping and kicking attack on a victim. Secured an acquittal after successfully running a 'cut-throat' defence.

Defending successfully a schoolboy with learning difficulties accused of being part of a gang which had pursued and brought down their victim on a playing field where he was murdered.

Prosecuting a multi-handed gang riot that resulted in a murder. Secured six murder convictions.

Prosecuting in a case involving a man who had chased his father in full public view, brought him down and decapitated him with a kitchen carving knife. Diminished responsibility at issue.

Prosecuting in a case involving a man who had killed his victim using a 'whirlie' clothes dryer by driving it vertically into his neck until he was decapitated. Insanity at issue.

Organised Crime

He has prosecuted and defended in numerous multi-handed cases involving organised crime, including:

Defending in a case in which it was alleged that a gang had set up a commercial operation to import cigarettes and evade duty. Secured an acquittal, after several weeks of evidence, on a challenge to the validity of the Customs and Excise warrant to search the warehouse.

Challenging successfully at first instance the evidence of recordings of conversations and telephone calls by undercover police officers as a breach of the right to privacy, as protected by the European Convention (subsequently reversed on appeal).

Securing an acquittal of defendant in a multi-handed conspiracy to supply case. The defendant's fingerprint was on the packaging of a parcel of Class A drugs that was found in his car when he was stopped by the police, who had been conducting surveillance.

Sexual Offences

He has a wide experience of leading in rapes and serious sexual offence cases, including:

Prosecuting in a case of historic sexual abuse. The defence was that the allegation was a result of false memory syndrome. Experts led and cross-examined. Conviction secured.

Defending in a case in which it was alleged that the defendant had been one of several men who had gang raped a young woman with mental health difficulties. Had to cross-examine her under one of the earlier section 28 procedures. Recorded in hospital in which she was a mental health patient.

Defending in a case in which the complainant had allegedly been violently raped by her partner. Cross-examined her on a large volume of mobile phone analysis material which showed post-incident contact between the parties.

Prosecuting and defending in numerous cases in which the complainants have been children.

Offences of violence

He has prosecuted and defended in numerous section 18 cases and cases of attempted murder – including chokings, stabbings, shootings and blunt force attacks.

He has defended and prosecuted in riot and violent disorder cases, and is frequently instructed to prosecute and defend in cases in which it is alleged that defendants were in possession of firearms (with and without intent).

His robbery work includes prosecuting and defending in multi-handed commercial robberies.

He has prosecuted and defended in false imprisonment, kidnap and child abduction cases.

Inquests

He is often instructed to appear at inquests. His practice includes:

Appearing for the family of the deceased who had been under instruction as a trainee pilot when their aircraft crashed. Cross-examined several experts, including an RAF Air Commodore, and sensitively handled the issue of the instructor being at fault. The instructor had also died in the crash and their family was also present at the inquest.

Appearing for the owners of a care home in which the deceased had choked on his food. Adverse comment avoided.

Public Inquiries

He appears in public inquiries and planning inquiries, including advising and appearing for protestors in one of the few recent major road inquiries in the UK.

Professional Disciplinary

He is often instructed to appear for respondents in disciplinary inquiries. He has been instructed to represent solicitors, doctors and architects before their respective professional disciplinary tribunals.

Memberships

- Head of Chambers
- Middle Temple
- Criminal Bar Association
- Faculty of Advocates