

Martin McCarthy KC

YEAR OF CALL 1994

He is a specialist defence barrister in organised and financial crime. He is recognised by both of the principal bar directories as being a leader in his field.



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Career Overview

Martin is ranked as a Leading junior in Band 1 in the Crime section as well as in the Financial Crime section of the Legal 500 edn 2023. Described as 'a forceful, formidable advocate who is adept in heavyweight crime and financial crime cases' as well as 'known for his well-prepared, meticulous and devastating cross-examination.'

Martin is ranked in Band 1 in the Crime section of Legal 500 2022. Described as 'in command of his papers' and someone who 'robustly cross examines witnesses'

In the Financial Crime section he is described as 'A junior who possesses expert tactical acumen, both in his submissions and his dealings with witnesses and juries'.

Chambers & Partners 2022 says that Martin is "A strong and insidious barrister with excellent judgment and who knows how to handle the opposition and get what he wants'.

In the Financial crime of the same directory he is rated as 'an accomplished juniorvery experienced and great to deal with. A very good jury advocate who is excellent at witness handling'.

Legal 500 2021 Fraud crime directory ranks Martin as a leading Junior in both general and Fraud crime. He is

described as "charismatic" and someone who "fights tirelessly....one of the most talented fraud and business crime juniors at the bar...". He is the "go to Counsel in heavyweight crime, particularly drugs, People Trafficking and Serious Organised crime". He is a rare breed of leading junior advocates who has a firm, tenacious manner in Court mixed with charm and charisma"

Chambers & Partners 2021 ranks Martin as a leading junior in Fraud and general crime.

"well thought of and a real fighter"

"A very, very good jury advocate".

In the 2020 general crime section as follows:

"A walking disclosure manual whose cross examinations are effective"

In Fraud:crime the same directory reads as follows:

"A thorough practitioner who will fiercely fight his clients corner"

Legal 500 2019 had the following comments:

"He can absorb and understand vast amounts of complex material and explain it to a jury".

He is recognised in the 2019 edition of Chambers & Partners directory in the area of Financial Crime and is the only member of Farringdon Chambers to be included.

"Accomplished Junior with a strong track record of defending in financial crime cases. He is esteemed for his ability in cases of fraud, money laundering and serious organised crime"

"He is brilliant on the law and has a superb cross examination technique"

He is instructed in the most substantial and complex cases of murder, fraud, drugs, corruption, money laundering, people trafficking and all aspects of organised crime. Martin has extensive experience of serious fraud and related confiscation proceedings. He has advised and appeared in complex contested cases in the Crown Court, the High Court and the Court of Appeal. He is used to working with substantial amounts of paperwork and is computer literate.

Martin is particularly experienced in cases involving experts in cell site, computers, telephone, accountancy and other such evidence.

In the last few years Martin has developed a niche practice in appeals against costs decisions and has been reported

in decisions of costs Judges, the High Court and the VHCC appeals committee where he has been unusually successful in taking points of principle (R v Mooney, R v Mehmetaj, R v Zigaras, R v Sereika, R v Francis & R v Carter - all of which successfully challenged decisions of the LAA before the Costs Judge on behalf of Litigators and/or Counsel).

Martin has substantial experience of VHCC cases. Martin was formerly an Independent Costs Adjudicator (formerly known as a member of the LSC VHCC appeals committee). He is a former elected member of the Criminal Bar Association executive and is co-opted to the CBA remuneration Committee. Martin is able to give lectures to Solicitors and the Bar in Costs and costs appeals.

In relation to Cyber Crime, Martin's experience focuses on various types of Cyber Fraud, in addition to matters involving Malware, Ransomware and Phishing offences.

Area of Practice

Fraud including Business Crime.

General Crime, especially Homicide & People Trafficking.

Cyber Crime / Cyber Fraud

Notable Cases

Martin has been instructed in a number of serious cases in recent years but as a guide, the following cases reflect the type of work Martin undertakes:

Fraud/money laundering

R v RG - £1m plus money laundering

Leading Junior

R v S - £10m car ringing conspiracy

Leading junior

R v S - multi-million pound international fraud

Prosecuted by QC and junior. 15 defendants. 3 months at Southwark CC

R v S - multi-defendant parcel fraud

4 weeks Blackfriars

R v M - Fraud

Leading junior must-defendant mortgage fraud/money laundering

R v M - Multi-defendant money laundering

3 weeks Canterbury

R v M - Multi-defendant fraud and money laundering

Leading Junior - 2.5 months Southwark

R v S- Fraud

Currently retained to advise in a multi jurisdiction computer phishing fraud

R v M - Fraud

10 week money laundering/fraud

R v W - Money Laundering

Retained to advise at pre charge restraint stage in International fraud and money laundering

R v G - Money Laundering

Currently acting as sole junior in fraud/money laundering likely to last 2 months Kingston CC

R v C - Fraud

Leading junior in a diamond boiler room fraud Southwark CC

R v D - Blackmail

major money lending and blackmail case at Wood Green CC

R v H - Huge courier fraud

Leeds CC

R v H - substantial courier fraud

Worcester CC

Drugs

R v D - sole junior organised crime group importing and onward selling Class B

Lincoln CC

R v P - Leading junior Stafford CC - Organised Crime group

Acted for lead defendant

R v M - Sole junior Birmingham CC

Acted for lead defendant in substantial multi defendant Class A organised crime group

R v X - Two drugs conspiracies involving in excess of 20 defendants in all

Split trials in Nottingham and Bristol

R v K - Drugs

Currently retained to advise on restraint and act for lead defendant in substantial telephone based drugs investigation involving multiple defendants - Peterborough CC

R v B - Drugs

Currently acting for one of the main defendants in a multi defendant organised crime drugs cas

People trafficking/Modern Slavery

R v M - People trafficking/Modern Slavery

Leading junior 10 weeks slavery Newcastle CC

R v C - leading junior - People trafficking/Modern Slavery

Case lasted over 4 months Prosecuted by QC and two juniors. Birmingham CC

R v H - People trafficking/Modern Slavery

Leading junior people trafficking.

R v D -People Trafficking/Modern Slavery

6 week case leading junior

R v G - Modern Slavery/Sexual Trafficking

6 week case - leading junior

Homicide

R v H - Murder - Worcester CC

Led by QC in a 6 weeks murder.

R v N - Murder - Wolverhampton CC

4 weeks murder. Junior alone against QC and junior and with other defendants represented by Silks. Martin's client was the only Defendant in six to be acquitted of murder.

Reported cases

Lord Chancellor v McCarthy

High Court "friendly appeal" against the costs Judge's decision to categorise a case from an A to a B in graduated fee case resulting in decision being overturned in our favour...

R v Smith (Henry Lee) [2007] Crim.L.R 325

(Archbold 2011 Para 4-40 & 13-29)

Lord Chancellor v Purnell QC & McCarthy [2010]

Costs L.R. 81, QBD

Lord Chancellor v AJ Solicitors & McCarthy [2011]

EWHC 2113 (QB)

Smith v CPS [2005]

EWHC 3506 (Admin)

MO, & Others, R [2011]

EWCA Crim 2854 (8 Dec 2011)

Lord Chancellor v McCarthy [2012]

EWHC 2325 (QB).

Martin is also reported in a vast array of costs decisions acting for Litigators and Counsel, where he has taken a significant number of points before the Costs Judge on issues such as PPE, stayed indictments, start of trial, category and Newtons. Many of his cases have found their way into the LAA manual of Guidance for Criminal Costs. He is sought out for his up-to-date knowledge and analytical approach to costs appeals.

Memberships

Professional Memberships

- Former Member of the Executive committee of the Criminal Bar association.
- Criminal Bar Association
- South Eastern Circuit
- Proceeds of Crime Lawyers Association
- Former Independent Costs Adjudicator for the Legal Aid Agency
- Association of Fraud Lawyers
- CBA Remuneration Committee

Education

LL.B (Hons)

Other Information

- Chambers Director
- Chambers Criminal Bar Association representative
- Member of Fraud Lawyers Association
- Advocacy teacher Grays Inn

[Link to cost appeals bundle](#)

