



Rajiv is a criminal defence barrister who also specialises in other aspects of criminal justice including extradition, inquests, criminal judicial review, civil actions against the police and Privy Counsel death penalty appeals.

Rajiv's criminal practice covers the entire spectrum of criminal law including murder, terrorism, public order, drug trafficking, armed robbery, fraud, money laundering and other serious crime. He has defended in over twenty murder trials and has a wide-ranging appellate practice. He is particularly interested in cases involving human rights violations, political protest and the abuse of power by the state.

In 1999, Rajiv was junior counsel for Dwayne Brooks at the Stephen Lawrence Public Inquiry. Dwayne was the principal eyewitness and surviving victim of the racist attack that killed Stephen Lawrence. This Inquiry was a landmark event in the history of race relations in the UK, given its condemnation of institutional racism within the police service.

Over the years, Rajiv has acted for many political protestors including those involved in anti-nuclear, anti-war and anti-fascist campaigns. He also represented a number of young men charged with riot and violent disorder arising from the civil disturbances in Oldham and Burnley in 2001.

Since 2004, Rajiv has specialised in terrorist cases. He has defended in ten terrorist trials including the "fertiliser bomb plot" trial at the Old Bailey which lasted over a year. He was also instructed by Liberty as junior counsel in a judicial review of anti-terrorist stop and search powers.

Recently, Rajiv has acted for the families of the deceased at inquests into the controversial deaths of Mikey Powell and Paul Coker in police custody and Adam Rickwood in a secure training centre.

Before becoming a barrister, Rajiv spent an exhilarating three years working for Newham Monitoring Project, an anti-racist campaigning organisation that provides legal advice and practical support to victims of racial and police harassment in east London.

R v Kalayci & others (2004) - Kingston Crown Court - Leading junior counsel - Represented Allaatin Kalender - Prosecution for terrorist fundraising & membership of Turkish proscribed organisation stayed on grounds of abuse of process

R v Rowe (2005) - Old Bailey - Junior counsel - Represented Andrew Rowe who was convicted of possessing articles for terrorist purposes

R v Khyam & others (2006-2007) - Old Bailey - Junior counsel - Operation Crevice "fertiliser bomb plot" trial - Represented Shujah Mahmood who was acquitted of conspiracy to cause explosions

R v Tsouli & others (2007) - Woolwich Crown Court - Junior counsel - Represented Tariq Al-Daour who pleaded guilty mid-trial to inciting terrorist murder

Year of Call

1993

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Education

BA History (Dartmouth),
MSc Social Anthropology
(LSE), CPE (College of
Law)

Practice Areas:

Rajiv Menon is a member of the following Practice Areas:

- Claims Against The Police & Public Authorities
- Crime
- Extradition Law
- Fraud & Regulatory
- Inquests
- International Advice and Litigation
- Public & Administrative Law

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and conspiracy to defraud

R v Bullivant (2007) - Old Bailey - Represented Cerie Bullivant who was acquitted of breaching his control order obligations on grounds of reasonable excuse

R v Tabbakh (2008) - Birmingham Crown Court - Represented Hassan Tabbakh who was convicted of preparing terrorist acts

R v Baluch & Marri (2008-2009) - Woolwich Crown Court - Junior counsel - Case involving use of anti-terrorist legislation to prosecute supporters of armed liberation struggle in Balochistan against repressive regime - Represented Hyrbyair Marri who was acquitted of inciting terrorist murder & preparing terrorist acts

R v Siddiqui & others (2008-2010) - Old Bailey - Leading junior counsel - Represented AN who was acquitted of conspiracy to breach his control order obligations when prosecution offered no evidence

R v Mohamed & Yusuf (2009) - Kingston Crown Court - Junior Counsel - Case involving use of anti-terrorist legislation to prosecute supporters of armed liberation struggle in Somalia against foreign occupying army - Represented Musse Yusuf who was acquitted of disseminating terrorist publications and terrorist fundraising - Jury hung on possessing documents likely to be of use to terrorists

R v Yusuf (2010) - Old Bailey - Leading junior counsel - Retrial for possessing documents likely to be of use to terrorists - Represented Musse Yusuf who was acquitted when prosecution offered no evidence following 2nd hung jury

R v Brown (2009) - Winchester Crown Court - Junior counsel - Stabbing in Bournemouth

R v Johnson (2010) - Winchester Crown Court - Junior counsel - Double murder in Gosport

R v Robinson (2010) - Old Bailey - Junior counsel - Shooting in south London

Mauritius v Appasamy (2007-2009) - Multimillion pound fraud, money laundering and corruption case - Court held that extradition would be unjust and oppressive due to client's mental condition

Albania v Mustafaj (2008-2009) - Attempted murder & firearms case - Court held that extradition would be oppressive due to passage of time and would breach client's rights under article 3 of ECHR

Bulla v Albania [2010] EWHC 3506 (Admin) - Armed robbery case - Appeal allowed as unclear whether client who was convicted in absentia would receive retrial if returned

Inquest into death of Mikey Powell (2009) - Birmingham & Solihull Coroner's Court - Leading junior counsel - Jury found that Mikey died of positional asphyxia in police van, rejecting alternative cause of death, namely that Mikey died of exertional sudden death associated with his sickle cell trait

Inquest into death of Paul Coker (2010) - Southwark Coroner's Court - Leading junior counsel - Jury found that Paul died of variant of excited delirium & returned narrative verdict criticising police training on excited delirium, inadequate communication & pooling of information & failure of FME to carry out adequate



medical assessment

Inquest into death of Adam Rickwood (2011) - Durham & Darlington Coroner's Court - Adam was youngest child to die in custody in modern times, aged only 14 - Jury returned damning narrative verdict, condemning every institution involved in Adam's care including Youth Justice Board, prison service & Serco

R v Roble [1997] Crim LR 449 - Appeal on how legal advice to remain silent when questioned could prevent adverse inference direction under s34 of Criminal Justice and Public Order Act 1994

R v Davis [1998] Crim LR 564 - Appeal on whether screwdriver is bladed article in law

R v Lambert, Ali & Jordan [2001] 1 Cr App R 14 - Junior counsel - Appeal on whether reverse legal burden on defendant to prove diminished responsibility in murder trial is compatible with presumption of innocence under article 6(2) of ECHR

R v Reid & others [2002] 1 Cr App R 21 - Appeal on admissibility of psychiatric reports ordered by court in cut-throat murder trial

R v Quayle & others [2005] 2 Cr App 34 - Appeal on availability of necessity defence to those who use or supply cannabis for medicinal purposes

R v Rowe [2007] 2 Cr App R 14 - Junior counsel - Appeal on availability of self-defence in terrorist cases & ambit of s57 & s58 of Terrorism Act 2000

Attorney General's References (Nos. 85, 86 & 87 of 2007) [2008] 2 Cr App R (S) 45 - Junior counsel - Appeal on appropriate sentences to be passed for inciting terrorist murder through internet websites & chat forums

R v Tabbakh [2010] Crim LR 79 - Appeal on what can properly be taken into account when deciding whether defendant with mental condition should receive adverse inference direction under s35 of Criminal Justice & Public Order Act 1994

R v AY [2010] 2 Cr App R 15 - Junior counsel - Interlocutory appeal on ambit of reasonable excuse defence in terrorist cases & whether defence can extend to intended use of information for lawful defence of others

Percy v DPP [2002] Crim LR 835 - Junior counsel - Appeal by way of case stated on whether public order conviction for standing & writing on American flag is compatible with right to freedom of expression under article 10 of ECHR

Hasani v Blackfriars Crown Court [2006] 1 Cr App R 27 - Judicial review on procedure to adopt when defendant found unfit to plead becomes fit prior to disposal

R (Gillan & Quinton) v Metropolitan Police Commissioner & Home Secretary [2006] 2 Cr App R 36, HL - Junior counsel - Judicial review of use of arbitrary stop & search powers under Terrorism Act 2000 against political protestors & journalist

Thomas & Stubbs v Central Criminal Court [2007] 1 Cr App R 7 - Judicial review on how to approach lack of due diligence when challenging decision to extend custody time limits

(Updated: March 2011)