

## **Alison Gurden**

**Call: 2001**

**Public access qualified**

### **PRACTICE AREAS**

- Crime
- International Crime
- Cross Jurisdictional Crime
- American Criminal and Constitutional law
- Human Rights Law
- Football Supporter Law
- Extradition
- Inquests
- Prison Law
- Complaints Against the Police and Prison Service
- Employment Law

Alison is an experienced barrister with a unique International practice encompassing all aspects of criminal law with a specialism in representing people charged with sexual and/or violent offences including Murder and rape and historical sexual offences. She represents persons facing the death penalty in the USA. She has expertise in human trafficking operations, and gang related crime and will accept instructions at all stages of the case from first appearance to Court of Appeal. Much of her practice involves human rights and/or constitutional rights and she has worked on cases in the European Court of Human Rights and made representations on human rights and constitutional issues, in relation to criminal justice issues, to International Courts, including the Italian Supreme Court and the US Supreme Court. She has an LLM in International Human Rights Law. She has rights of audience in cases in England and Wales and the USA.

Alison has particular skills in working with clients with mental health issues and has just finished studying for a psychology MSC.

Alison acts as a consultant in criminal practice and procedure, including international criminal obligations, victim support, jury selection, and police and court procedure. She also offers a trial preparation service in the UK, Europe, USA and Australia, including forensic analysis of case papers, and witness and defendant preparation.

Alison represents high profile clients, many of whom have built up notoriety due to internet presence, and her cases often attract media interest, she is well versed in working discreetly, with client confidentiality as a priority and advises clients on the means of avoiding adverse publicity. She is currently studying at the London School of Journalism for a Postgraduate Diploma in Journalism in order to better understand the workings of the media.

Alison has expertise in court orders which often accompany sentencing in the Crown and Magistrates Courts, including Sex Offender Orders, Restraining Orders, Anti-Social Behaviour Orders, and Football banning Orders.

Alison's specialist area of practice, Football Supporter Law includes:

- Defending Football Banning Orders (both criminal and Civil)
- Defending fans charged with football related offences such as pitch invasion, drinking in sight of the pitch, possession of a smoke bomb or flare
- Appealing Football Banning Orders
- Challenging the decision of a football club to cancel a season ticket
- Obtaining information on the data and intelligence held on a football supporter by the police and/or football club
- Advising on Football Policing

Alison has been awarded the Rodney Thaxton Award by the Florida Criminal Defence Lawyers Association, and the Clyde Atkins award by the Florida Chapter of the American Civil Liberties Union for her work on death penalty cases in Florida.

## **ACTIONS AGAINST THE POLICE**

Alison acts for Claimants in their complaints against the Police in England and Wales. She represents claimants in County Court and High Court trials and provides initial advice on whether there are grounds for a claim.

She has represented clients in false imprisonment claims (encompassing arrest and detention), claims of assault and trespass to property by police officers, challenging warrants and human rights cases. Alison advises on the preliminary stages of making a complaint to the Police Force Professional Standards Department and the Independent Police Complaints Commission.

Alison accepts referrals from Law Centres and the Citizens Advice Bureau and can take instructions under the public access scheme. She offers a consultancy and trial preparation service for organisations and individual clients worldwide. She has advised police officers and lawyers in the USA on the criminal interrogation process.

## **PRISON LAW**

Alison has an in-depth understanding of prison law, and the workings of prisons. She represents prisoners in both the courts and at disciplinary hearings within the prison including parole hearings and IPP appeals. She has

knowledge and expertise of prison law in many European countries and the USA and can assist in preparing advice on the likely impact of imprisonment for persons facing extradition or deportation to a European or USA prison.

## **NOTABLE CASES**

### **International Work and Extradition Law**

- Alison represented one of twelve German defendants in a violent disorder case at Liverpool Crown Court. Initial representation of client with German lawyers in relation to the European Arrest Warrant issued for client's extradition to England. Subsequent advice to client and court on whether a plea to a lesser offence than violent disorder could be accepted in light of the EAW for violent disorder. Client convicted of lesser offence and sentenced to a suspended sentence.
- Assisting Spanish lawyer in relation to USA extradition request for South American National, wanted by Federal Authorities in Florida, who was detained in Spain.
- Assisted Italian lawyer in challenging a European Arrest Warrant for an Italian national wanted for trial in England. Assisting in preparation of challenge in the lower courts and Italian Supreme Court in Rome.
- Since 2010, acting either through Public Defendant Offices or as a court appointed lawyer, represented defendants facing the death penalty in the USA and other overseas jurisdictions.

In 2020/21 achieved:

- Death penalty waiver for three clients indicted on felony murder charges;
- Death penalty waiver in one case due for re-sentence of the client who has been on death row for over seven years.
- Following contested hearing achieved term of years sentence for two clients who had been sentenced to life without parole as a youth for homicide offences.
- Since 2016 Alison has represented clients, both in negotiations with the State and contested hearings, who were sentenced to life without parole as a youth for homicide and non-homicide offences.

### **Prison Law**

- Drafted written representations to Parole Board in relation to release of a minimum term life prisoner arguing exceptional circumstances justified the Parole Board to make a decision on release on the written representations.
- Advising on representations to be made to the Secretary of State for early release of a prisoner on compassionate grounds.

### **Civil Claims against Criminal Justice System Organisations**

Alison achieved a settlement in three separate human rights complaints against prisons following drafting of detailed particulars of claim and Part 18 Questions.

Achieved settlement, on full quantum claimed, in two claims against a police force in relation to Human Rights and Misfeasance in Public Office.

Alison is currently instructed in claim against police and CPS in relation to a client detained in custody on false allegations of rape.

### **Injunction applications**

Alison represented the claimants in applications for injunction against publication of documentary/news piece/articles by major media outlets including the BBC.

Advised on successful settlement of claim against BBC for publication of the name of a complainant in sexual assault case.

### **MEMBERSHIPS**

- Lincoln's Inn
- Criminal Bar Association

### **AWARDS**

- Sydney Elland Goldsmith Bar Council Pro Bono Lawyer of the Year 2012
- Florida Criminal Defense Lawyers Rodney Thaxton Award
- American Council of Civil Liberties Clyde Atkins Award

### **VOLUNTARY WORK**

- Assisting British Irish Rights Watch in the analysis of the witness testimonies from a Public Inquiry into the actions of the Northern Ireland Prison Service in relation to the treatment of Political Prisoners.
- Trustee of the Migrant Helpline - Dover England. From 2009 to 2016. Including assisting the Police in raids on known addresses where trafficked persons are resident to ensure full compliance with both UK legislation

and the International Conventions on refugees and Migrants. Training and advising Police and other organisations on the realities and impact of labour and sex trafficking around the World.

- Mentor for student barristers hoping to obtain pupillage. Assisting at least two students every year and continuing with assistance until they obtain pupillage or decide to undertake alternative career options.
- Facilitator of Lincoln's Inn Student Advocacy Sessions.