

## Alex Menary

Call 2004



### Clerks' Details

 Ian Spencer  
 0113 203 1971

 Kate Heald  
 0113 203 1983

### Memberships

- Criminal Bar Association
- North Eastern Circuit

### Appointments

- Grade 4 CPS Prosecutor
- Serious Crime CPS Advocates Panel (Level 4)
- RASSO CPS Advocates Panel (Level 4)
- Fee-Paid Tribunal Judge (HESC (MHRT)) 2019
- Recorder (2019)

### Education

- University of Wales, Cardiff LLB 2003
- University of Wales, Cardiff BVC 2004
- Gray's Inn Gray's Inn
- Practice Advisor to BPP Law School, Leeds

### Police Law CV

#### Overview

Alex is experienced in the sphere of police misconduct hearings, having been instructed by the Police Federation on behalf of officers charged with misconduct to appear both before Misconduct Panels and at the Crown and Magistrates' Courts.

He has experience of both single and multiple-day hearings, dealing with contested and admitted cases, and making submissions both in relation to Findings and mitigation when concerned with outcomes.

He brings his criminal law experience to bear on the forensic examination of both documents and witnesses, and is comfortable and familiar with dealing with police documentation and processes.

## Recommendations

“Alex was instrumental in quickly identifying the flaws in the original decision of the panel. His expertise in drafting the grounds of appeal was certainly apparent and this was reflected in the PAT ultimately agreeing with his submissions.

“Both my client and I are massively appreciative of Alex’s efforts in achieving this excellent result”.

**Darren Cook – RadcliffesLeBrasseur Solicitors**

## Cases

**RE: PCB (July 2019, and PAT January 2020):** Instructed by Darren Cook of RadcliffesLeBrasseur, PC B was dismissed following a misconduct hearing in July of 2019, following a finding of Gross Misconduct. PC B was a distinguished officer with 27 years unblemished experience alleged to have failed to carry out any or any proper investigation into allegations of Child Sexual Exploitation. On appeal, the Police Appeals Tribunal accepted that the original decision was unfair and unreasonable, following errors that were highlighted in the approach the original panel took both to the College of Policing Guidance on outcomes, and the seriousness assessment. As a result, the original decision was quashed and PC B was issued with a final written warning, resulting in his immediate re-instatement.

**RE: PC F (October 2020):** Successful defence of a West Yorks PC at his misconduct hearing for allegations of gross misconduct. The officer faced dismissal having been accused of racially abusing and assaulting door supervisors, resisting arrest, and being unfit for duty. Following a three-day contested hearing, the majority of the allegations were dismissed, although the panel did find that the officer’s admitted actions amounted to gross misconduct. Despite strong submissions for dismissal, the panel were persuaded that a final written warning was the appropriate outcome.

**R v PC G (March 2019):** Instructed on behalf of Slater and Gordon Solicitors by Chris Fallows, secured acquittal of serving Leicestershire Police Officer charged with assaulting a fellow player during a Sunday League football match.

**RE PC D (May 2019):** Instructed on behalf of Slater and Gordon Solicitors by Alan Greenidge, represented PC before Misconduct Hearing where Officer was alleged to have fabricated witness statement in order to justify decision to arrest suspect. Criminal proceedings against suspect had been discontinued on basis of CCTV evidence. The allegations were dismissed as not proven.

**RE PC B (July 2019):** Represented Safer Schools Officer at Misconduct Hearing considering allegations of Gross Misconduct regarding recording and investigation of complaints made.

**RE: PC O-M:** Successful defence of a BTP Officer charged with another with gross misconduct following discontinuance of a criminal case in the Magistrates' Court. During the course of the 5-day hearing, omissions and failings in supervision and training were exposed, and the original decision to discontinue by the CPS was demonstrated to be flawed.

**RE: PC A:** Representing Lincolnshire Officer charged with motoring offences at Nottingham Magistrates' Court. The instruction of a forensic expert toxicologist demonstrated that at the time of driving the Officer would have been below the legal limit for alcohol. Complex issues of mental health and the effect of medication upon intoxication were explored during the course of 3 days.

**RE: PC F:** Congleton, July 2016: Representing serving Police Constable charged with misconduct following CPS decision to NFA her partner for shoplifting incident of which she was not aware. Brought experience of charging decisions and CPS processes to a confused PSD investigation.