



HELEN MOUNTFIELD QC

MAIN AREAS OF PRACTICE:

Employment, Discrimination and
Equality Law
EU Law
Human Rights and Civil Liberties
Media and Information Law
Public Law

Called to the Bar 1991

Appointed to Silk 2010

CONTACT:

helenmountfield@matrixlaw.co.uk

+44 (0)20 7404 3447

Jason Housden, Senior Practice
Manager

jasonhousden@matrixlaw.co.uk

Helen is an internationally regarded public law, human rights and equality law practitioner. She is recommended in many categories in Chambers & Partners and the Legal 500; was Chambers' Public Law & Human Rights Junior of the Year in 2009; has been in The Lawyer's 'Hot 100'; shortlisted for Legal 500 Public Law QC of the Year 2015 and was shortlisted for the Lawyer Magazine's Barrister of the Year in 2011.

EXPERIENCE

Helen has advised and represented a number of governments nationally and internationally, including:

- the government of South Africa (intervening in *Lubbe v Cape PLC* [2000] 1 WLR 1545),
- the government of Belgium (in the *Pinochet* litigation),
- the government of Trinidad & Tobago (in litigation arising from a coup attempt),
- the government of the Turks & Caicos Islands (in the Privy Council),
- the government of Argentina (in *Siemens A.G. v. The Argentine Republic* ICSID Case No. ARB/02/8), and
- the government of the Turkish Republic of North Cyprus (*Caglar v Billingham (Inspector of Taxes)* [1996] STC (SCD) 150, [1996] 1 LRC 526; *R v IRC, ex p Caglar* [1995] STC 741)
- As well as her practice in the Courts of England and Wales at all levels, Helen has appeared in important cases in the European Court of Justice, the European Court of Human Rights, and the African Commission on Human Rights.

She has represented states and private bodies in arbitrations, both at ICSID and under UNCITRAL rules. She has also been admitted to the Bars of Gibraltar and Trinidad & Tobago, and appeared for the government of the Turks & Caicos Islands in the Privy Council.

Helen is author of a chapter on the European Court of Human Rights in the American Bar Association Guide to International Law. She has also written an article entitled "Regulatory Expropriations in Europe: the Approach of the European Court of Human Rights" 11 New York University Environmental Law Journal 136 (2002-2003).

She has lectured on international law including at Oxford University, New York University, Harvard, and delivered the 13th Henry Hopkins Memorial

Helen Mountfield QC:

helenmountfield@matrixlaw.co.uk

+44 (0)20 7404 3447

Jason Housden, Senior Practice Manager

jasonhousden@matrixlaw.co.uk

DIRECTORIES' RECOMMENDATIONS

"Courts respect her; clients love her; opponents are in awe of her."

"Excellent"

"She gains the confidence of clients"

"Outstanding on her feet"

Legal 500 2015

"She is phenomenally gifted intellectually – she mixes really thorough analysis and high-level thinking with empathy"

"She is very approachable, and has an impressive ability to articulate very difficult arguments."

"She's really impressive in court."

Chambers & Partners 2015

"Hot 100" Lawyers for 2011

The Lawyer

"an absolute star"

"an exceptional mind, yet is bereft of any ego and is always able to bring new ideas to the table"

"a standout public law advocate"

Chambers & Partners 2011

"accessible, hardworking and handles a remarkable range of work with skill and panache"

Legal 500 2010

"all-time favourite of many"

"exceptional mind"

"clever and persistent"

"absolute star"

Chambers & Partners 2010

Lecture on 'Healthcare and Human Rights' at Harvard.

NOTABLE CASES

Important cases in the European Court of Human Rights include:

Big Brother Watch, English PEN and the Open Rights Group & Constance Kurtz v United Kingdom (forthcoming, Grand Chamber – concerning legality of mass interception of internet data)

Hatton v United Kingdom (Grand Chamber) (36022/97) (2003) 37 EHRR 28
Environmental nuisance – night flights from Heathrow and duty to provide effective remedy under Article 13

Eremia v Moldova (3564/11) (2014) 58 EHRR 2 - Established positive obligation under Article 14 to protect women from domestic violence.

CN v UK (4239/08) (2013) 56 EHRR 24 - First successful case against the United Kingdom for breach of Article 4 (forced labour).

Drake International v Switzerland Challenge to fair trial procedures by commercial body.

Free movement cases in the Court of Justice of the EU, or applying the Citizen's Directive in UK law, include

Pedro v Department for Work & Pensions [2009] EWCA Civ 1358; [2010] PTSR 1504 (successful challenge concerning scope and application of the Citizens' Directive. The Secretary of State withdrew an application for permission to appeal to the Supreme Court.)

Secretary of State for Work and Pensions v Czop and Secretary of State for Work and Pensions v Punakova (Joined Cases C-147/11 and C-148/11)?[2013] PTSR 334

Snares v Adjudication Officer (C20/96) [1998] 1 CMLR 897

An important part of Helen's practice is use of international law in domestic proceedings. Recent examples include:

Smith v Secretary of State for Defence [2013] UKSC 41; [2014] A.C. 52 - Representing the Equality & Human Rights Commission in a 9-judge Supreme Court to establish the extra-territorial application of the European Convention on Human Rights;

Burnip v Secretary of State for Work & Pensions [2012] EWCA Civ 629; [2013] PTSR 117 - Establishing interpretative effect of the United Nations Convention on the Rights of Disabled Persons.

OTHER ACTIVITIES

Helen has also advised on the Convention for the Elimination of Discrimination Against Women, the Council of Europe's Minority Rights Convention, and the Maputo Protocol of the African Convention on Human and People's Rights. She is also a director of the Equal Rights Trust.