

Professor David Ormerod CBE QC (Hon)

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Current positions

- Professor of Criminal Justice, University College London (2015 – to date)
- Door Tenant, Chambers of Anthony Shaw QC and Gillian Jones QC, 18 Red Lion Court, London
- Honorary Professor, Queen Mary University of London (2015-date)
- General Editor, *Criminal Law Review* (2012-date)
- Editor in Chief (jointly), *Blackstone's Criminal Practice* (2008- date)

Current professional appointments:

- Deputy High Court Judge, Queen's Bench Division (appointed 2018)
- Barrister (called 2002), Bencher of Middle Temple (called 2009), Hon Queen's Counsel (2013)
- Honorary Bencher of the Inn of the Court of Northern Ireland (called 2017)

Previous experience

- Criminal Law Commissioner for England and Wales (2010 – 2019)
- Professorships at Universities of Queen Mary, Leeds and Hull, and Lecturer/ Senior Lecturer at Nottingham
- Practising barrister (2002–2010), Chamber of Anthony Shaw QC and Gillian Jones QC, 18 Red Lion Court

Appointments to committees

- Member of the Criminal Bar Association Education Committee (2008-2021)
- Member of the Inns of Court College of Advocacy Research and Development Committee
- Inns of Court College of Advocacy Expert Evidence Committee (formerly chairman)
- Chair of the sub-committee of the Leveson Review of Efficiency in Criminal Justice (appointed by Sir Brian Leveson to chair the work relating to pre-trial case management (2014-15)
- Criminal Procedure Rule Committee observer (2009-date)
- Criminal Justice Council member (2008-disbanded 2015)
- Middle Temple Bench Selection Advisory Committee (2017-date)

Affiliations

- Life Member of the Criminal Bar Association
- Life Member of the North Eastern Circuit of the Bar

Areas of interest:

The Judiciary –I am joint Director of the Judicial Institute at UCL, which is a world leading research facility looking at the role and impact of the judiciary. I take a practical “hands on” approach to working with the judiciary; both in terms of delivering training and providing materials. I play a key role in training all members of the criminal judiciary at Judicial College where I lecture on topics including Expert Evidence, Hearsay, Bad Character, Fraud and Homicide. I have developed and implemented new training in Serious Sexual Offences, Vulnerable Witnesses, Serious Crime and Long and Complex Crime. I deliver quarterly lectures on developments in criminal law and evidence to the judges sitting in the Court of Appeal Criminal Division. I was one of a team of four responsible for drafting the Judicial College – “Crown Court Compendium” and I continue to act as an editor in relation to ongoing updates. Since February 2008 I have co-authored a monthly newsletter for all those judges sitting in criminal courts in England and Wales, which analyses recent developments in criminal law, evidence and procedure.

Law reform – As the Criminal Law Commissioner in England and Wales for the past decade I had responsibility for leading a team of lawyers on a wide range of reform projects. A list of the law reform projects I led is appended. Additionally, I had collective responsibility for all law reform projects published by the Law Commission during my tenure. I have contributed to law reform on topics as diverse as administrative law, commercial law, planning law, property law, contract law, family law, intellectual property law, trusts law, charities, electoral law, and wildlife law. I was a member of the Law Commission Welsh Advisory Panel.

Parliamentary procedure - I have regularly appeared before Parliamentary Committees (recent appearances include House of Lords Constitution Committee, on Legislative Standards (2017); Liaison Committee (2018); House of Lords Science and Technology Committee on Forensic Science (2018); Special Public Bill Committee on Sentencing (2019)). I have an excellent understanding of the legislative process and have worked with policy teams on the introduction of draft Bills, including the new Sentencing Code (as acknowledged in [debates](#)). More recently I provided assistance to cross-bench peers on the Domestic Abuse Bill – referenced [here](#).

Technology – I have undertaken a specialist role working with senior Ministry of Justice officials on the legal implications of the developing technological world for the justice system. I have a particular interest in the technological and financial sustainability of law reform and have regularly led impact assessments reviewing the implications of recommendations.

Stakeholder engagement – I frequently engage with Ministers, senior policy officials and All Party Parliamentary Groups as an independent legal expert. I have a keen interest in how complex matters of law can be communicated in an accessible manner to non-lawyers and make regular media appearances to highlight and explain matters of criminal law reform. Recent appearances include Radio 4 Today Programme; Law in Action; Women’s Hour, BBC TV and radio for local and national broadcast and Sky TV interviews. I have delivered hundreds of training courses and stakeholder engagement sessions to prisoners, charities, legal professionals, including the police and Service Prosecuting Authority.

Often my work has an international element, for example I acted as an expert advisor to the Commonwealth Secretariat on amendments to the Harare Scheme of mutual assistance and extradition to deal with the gathering of evidence relating to interceptions of communications and computer data. I have also been invited to advise overseas jurisdictions, for example I visited Islamabad to train judges in the Pakistan Supreme Court on the protection of vulnerable witnesses in terrorism and domestic violence cases.

Management and Leadership – I was a Board Member of the Law Commission, where I additionally led a specialist team of 12 expert lawyers and researchers on a daily basis. I have strategic and leadership experience from chairing and serving on a wide range of committees, including those dealing with diversity and inclusivity initiatives, strategic planning and resourcing.

Research and publication on the criminal law – As Director of the Criminal Law Centre at UCL, and a legal academic of 30 years, I have written a wide range of academic articles, practitioner text and teaching materials on the criminal law. My published work is widely cited by academics, frequently relied upon by practitioners and cited by the appellate courts in this jurisdiction and abroad.

A list of notable publications is appended.

Teaching – I am currently involved in teaching undergraduate classes on criminal law, evidence and procedure as well as a cross faculty introduction to law. I teach postgraduate seminars on “Criminal Justice and Human Rights” and “Judges, Courts and Judicial Decision-Making” as well as a course on the MSc in Security and Crime Science - “Law and Expert Evidence”. I have previously taught a wide range of undergraduate and postgraduate courses including constitutional law, revenue law, human rights and tort. I have supervised numerous successful PhD and MPhil students and served as an external examiner at the Universities of Cambridge, Durham, LSE, Liverpool, Aberystwyth, Northumbria and Brunel. I have lectured by invitation in Holland, Hong Kong, Ireland, Pakistan, Sweden, Singapore, Ukraine and the USA.

David Ormerod - notable publications in criminal law

At the Law Commission, during tenure as Law Commissioner I led the work on the following projects:

- Unfitness to Plead in Criminal Proceedings: Consultation Paper (2010)
- Expert Evidence in Criminal Proceedings Report (2011)
- Kidnapping and Related Offences: Consultation Paper (2011)
- Contempt of Court: Consultation Paper (2012)
- Insanity and Automatism: Scoping Paper (2012)
- Contempt of Court: Scandalising the Court Report (2012)
- Hate Crime: The Case for Extending the Offences - Consultation Paper (2013)
- Contempt of Court (1): Juror Misconduct and Internet Publications Report (2013)
- Insanity and Automatism: Discussion Paper (2013)
- Contempt (2): Reporting Restrictions Report (2014)
- Hate Crime: Should the Current Offences be Extended Report (2014)
- Fitness to Plead: Issues Paper (2014)
- Reform of Offences Against the Person: A Scoping Consultation Paper (2014)
- Kidnapping and Related Offences Report (2014)
- Offences Against the Person: Scoping Report (2015)
- Public Nuisance and Outraging Public Decency Report (2015)
- Sentencing Issues Paper 1 – Transition to the Code (2015)
- Firearms Report (2015)
- Fitness to Plead Report (2016)
- Misconduct in Public Office Issues Paper (2016)
- Misconduct in Public Office Consultation Paper (2016)
- Sentencing Issues Paper 1 Report (2016)
- Sentencing – the Current Law – Report (2016)
- Protection of Official Government Data Consultation Paper (2017)
- Criminal Records Disclosure Report (2017)
- Sentencing Code: Draft Bill and Consultation Paper (2017)
- Search warrants (2018)
- Sentencing: Youths (2018)
- Anti-Money Laundering: SARS regime Consultation Paper (2018)
- Sentencing Code Bill and Report (2018)
- Abusive and Offensive Online Communications Scoping Report (2018)
- Anti-Money Laundering: SARS regime Report (2019)

Books edited and authored:

- *Smith, Hogan and Ormerod's Criminal Law* (6 editions; 4 co-authored with Karl Laird)
- *Halsbury's Laws of England Criminal Procedure and Evidence* (2010, 2016 and 2021) Contributor and Consultant Editor
- *Halsbury's Laws of England Criminal Law* (2010; 2015 and 2020) Contributor and Consultant Editor
- *Smith, Hogan, and Ormerod's Essential of Criminal Law* (4 editions with John Child)
- *Smith, Hogan, and Ormerod's Text Cases and Materials on Criminal Law* (5 editions; 3 with K Laird)
- *Blackstone's Criminal Practice (2015-2022) Editor in Chief with David Perry QC*
- *Blackstone's Criminal Practice (2015) Editor in Chief*
- *Blackstone's Criminal Practice (2008 - 2015) Editor in Chief with Lord Justice Hooper*
- *Fraud: Criminal Law and Procedure* (2008) OUP ed with Clare Montgomery QC (with annual supplements)
- *Smith's Law of Theft* (9th ed 2007) OUP with David Williams
- *The Modern English Legal System* (4th ed 2002) Sweet and Maxwell (with S. H. Bailey, M. J. Gunn & J. Ching)
- *Civil Liberties Cases & Materials* (5th ed. 2001) Butterworths (with D.J. Harris, & S.H. Bailey)

Chapters in Books:

- "Ivey v Genting" (2019) D Cleary (ed) Supreme Court Yearbook (2019) with K. Laird
- "Reforming the Law of Unfitness to Plead in England and Wales: A Recent History (with M Bevan), in R Mackay and W Brookbanks *Fitness to Plead: International and Comparative Perspectives* (2018)
- "Bad Character Provisions and their application to Sexual Offences" (with A Roberts and M Picton) in P Radcliffe, G Gudjonsson, A Heaton-Armstrong, and D Wolchover *Witness Testimony in Sexual Cases. Evidential, Investigative and Scientific Perspectives* (2016)
- "Prosecution Interlocutory and Evidentiary Appeals" in R Taylor (ed) *Criminal Appeals* (2nd ed 2012)
- "Securing Reliable Expert Evidence" in A. Heaton Armstrong and D. Wolchover (eds), *Analysing Witness Testimony* (2006) OUP
- "Expert Evidence" in L. Alison (ed.) *Offender Profiling and Criminal Investigation* (2005) Willan (with J. Sturman QC)
- "The Concept of Fraud" in L. Dobbs and R. Sutton (eds.) *Fraud: Law, Practice and Procedure* (2004) Butterworths (with D. H. Williams)
- "Identification in Fraud Cases – Voices" in L. Dobbs and R. Sutton (eds.) *Fraud: Law, Practice and Procedure* (2004) Butterworths
- "The Police Reform Act 2002" *Current Law Statutes Annotated* (2002) Sweet and Maxwell (with A. Roberts)
- "Despite the Law: Prize-fighting and Professional Boxing" in S. Greenfield and G. Osborn (eds.) *Sport and Law in Contemporary Society* (2000) (with M.J. Gunn)
- "Trial by Judge and Jury, Not Criminal Psychologist" in D. Canter and L. Alison (eds.) *Beyond Profiling* (1999) Dartmouth

Journal Articles in peer reviewed journals:

- "The full picture or too much information? Evidential use of body-worn camera recordings" [2021] *Crim. L.R.* 620 (with A Roberts)
- "Non-fatal strangulation and suffocation" [2021] *Crim. L.R.* 532 (with R Kelly)
- "Time to dispense with the mute of malice procedure" [2020] *Crim. L.R.* 912 (with M Bevan)
- "Jogee: not the end of a legal saga but the start of one?" [2016] *Crim. L.R.* 539 (with Karl Laird)
- "From Simply Harsh to Fairly Simple: Joint Enterprise Reform" [2015] *Crim. L.R.* 15 (with W Wilson)
- "Social networking material as criminal evidence" [2012] *Crim. L.R.* 486-512 (with M. O'Flóinn)

- “Social networking sites, RIPA and criminal investigations” [2011] Crim. L.R. 766-789 (with M. O’Floinn)
- “Coroners and Justice Act 2009: the "witness anonymity" and "investigation anonymity" provisions” [2010] Crim. L.R. 368-388 (with A. Choo and R. Easter)
- “Prosecution Appeals -Too much of a Good Thing?” [2010] Crim.L.R. 169-194 (with A. Waterman & R. Fortson)
- “Bad character evidence and cross-admissibility” [2009] Crim. L.R. 313 (with R. Fortson)
- “The Serious Crime Act 2007” [2009] Crim. L.R. 389-414 (with R. Fortson)
- “The Corporate Manslaughter and Corporate Homicide Act 2007” [2008] Crim. L.R. 563 (with R. D. Taylor)
- “Criminalising Lying: The Fraud Act 2006” [2007] Crim. L.R. 192-219
- “Making Sense of *Mens Rea* in Statutory Conspiracies” [2006] CLP 185-230
- “Abuse of Stay in *Grant*?” [2005] Covert Policing Review 5-15 (with A. Waterman)
- “Drugs Suppliers as Manslaughterers (Again)” [2005] Crim LR 819-833 (with R. Fortson)
- “The Evolution of Exclusionary Discretion” [2004] Crim. L.R. 767-788 (with D. Birch)
- “Mind the Gaps” [2004] Crim. L.R. 266-283 (with N. Taylor)
- “RIPA and the Interception of Communications” [2004] Crim. L.R. 15-38 (with S. McKay)
- “Police Cells and Unwanted Bugs” [2003] Journal of Criminal Law 37-50
- “The Police Reform Act 2002: Increasing Centralisation, Maintaining Confidence and Contracting Out Crime Control” [2003] Crim. L.R. 141-164 (with A. Roberts)
- “ECHR & Exclusion of Evidence: Trial Remedies for Article 8 Breaches” [2003] Crim. L.R. 61-81
- “Improving the Disclosure Regime” [2003] Int. Journal of Evidence & Proof 102-129
- “Sounding Out Expert Voice Identification Evidence” [2002] Crim. L.R. 771-791
- “Summary Evasion of Income Tax” [2002] Crim. L.R. 3-24
- “The Trouble with *Teixeira*: A Principled Approach to Entrapment” [2002] Int. Journal of Evidence & Proof 32-61 (with A. Roberts)
- “The Personality Paradox in Offender Profiling: A Theoretical Review of the Processes Involved in Deriving Background Characteristics from Crime Scene Actions” [2001] Psychology, Public Policy and Law (with L. Alison, C. Bennell and A. Mokros)
- “Sounds Familiar: Voice Identification Evidence” [2001] Crim. L.R. 595-623
- “Cautions with Tax Investigations” [2001] British Tax Review 194-206
- “Criminalising HIV Transmission: Still No Effective Solutions” [2001] Common Law World Rev. 135-168
- “Legal Implications and Admissibility of Psychological Autopsies” [2001] Int. Journal of Evidence & Proof 1-31
- "A Prejudicial View" [2000] Crim. L.R. 452-461
- "Hansard Investigations & Confessions in Criminal Trials" [2000] Int. Journal of Evidence & Proof
- "A Bit of A Con? The Law Commission's Consultation Paper on Fraud" [1999] Crim. L.R. 789-804
- "Redundant *Res Gestae*?" [1998] Crim. L.R. 301-316
- "Cheating the Public Revenue" [1998] Crim.L.R. 627-646
- "In Defence of *Ireland*" [1997] Web Journal of Current Legal Issues (with M.J. Gunn)
- "The Hearsay Exceptions" [1996] Crim. L.R. 16-28
- "Psychological Profiling" [1996] Journal of Forensic Psychiatry 341-352
- "HIV - Criminal Liability for Transmission" [1996] Web Journal of Current Legal Issues (with M.J. Gunn)
- "Reform of Implied Assertions" [1996] 60 Journal of Criminal Law 201-207
- "Evidential Implications of Psychological Profiling" [1996] Crim. L.R. 863-877
- "Law Commission Consultation Paper No 139: A Second Bash" [1996] Crim. L.R 694-707 (with M. J. Gunn)
- "The Legality of Boxing" (1995) 15 Legal Studies 181-203 (with M.J. Gunn)
- "Confidentiality in Children's Cases" [1995] 7(2) Child and Family Law Quarterly 1-14
- "Sado-Masochism" [1994] Journal of Forensic Psychiatry 123-133
- "Law Commission Paper No. 134 Consent and Offences Against the Person [1994] 57 Modern LR 928-940

- "The Victim's Mistaken Consent in Rape" [1992] Journal of Criminal Law 407-413

Editorials

I publish editorial comments on topical criminal justice issues – see for recent examples:

- Mental Health and Criminal Justice [2021] Crim. L.R. 247
- Appreciating the Jury [2020] Crim LR 983
- Racism in the criminal justice system [2020] Crim. L.R. 659

Commentaries

- As Editor of the *Criminal Law Review* - hundreds of commentaries on developments in criminal procedure, evidence and substantive law in monthly issues since 1996.

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