

Martin Hackett is an experienced Criminal Law Barrister who specialises in the most serious and complex cases.

He is currently working for the European Union Rule of Law Mission in the Special Prosecution Office for the Republic of Kosovo as an International Prosecutor and Head of the War Crimes Unit.

Seconded by the Foreign and Commonwealth Office (FCO) in November 2013, he is practising as a Continental Civil Law Prosecutor with overall responsibility for more than 800 war crimes cases. His duties range from dialogue with the Serbian authorities for the development of joint investigations and disclosure in war crimes cases, to appearing as a Prosecution Advocate before international Judges in War Crimes trials.

Martin has also advised the FCO, the Kosovo Government and the International Commission for Missing Persons regarding war crimes, corruption and organised crime.

In addition to his international work, Martin has spent well over 20 years practicing in serious crime on the Northern Circuit, he has considerable experience in handling the most complicated and sensitive sexual cases, complex fraud allegations, large scale drug conspiracies and cases involving murder, manslaughter and serious violence.

Martin is often instructed in cases where defendants or witnesses suffer from severe mental health problems.

Martin is a CAT 4 Prosecutor.

## **Prosecutor and Head of the War Crimes Unit EU Rule of Law Mission in Kosovo (EULEX)**

Martin has responsibility for developments in joint investigations in War Crimes, to appearing as Prosecution Advocate in Court before International Judges. As Unit Head he is responsible for over 800 war crime matters including old UNMIK cases, allocating these to other prosecutors, liaising closely with the Police War Crimes Investigation Unit regarding the priority and running a very active high profile team of Prosecutors and Legal Officers.

Martin manages the Unit's caseload and strategy and is accountable to the Head of Mission. His additional duties include interviewing witnesses, directing the whole investigation process, drafting documents and indictments for the court based upon International Humanitarian law concerning cases of war crimes.

Martin provides representation to the Chief Prosecutor for the Republic of Kosovo about politically sensitive cases. He liaises with Serbian Prosecutors and Ministers to establish a protocol concerning international legal co-operation and disclosure of evidence plus he liaises over the repatriation of the bodies of victims.

When required Martin takes over as Acting Head of the Special Prosecution Office. A main part of his role is to research, organise and manage evidence, conduct legal research and advice on specific cases, including substantive and procedural aspects of Kosovo's domestic criminal law and international criminal and human rights law within the framework of the ICTY.



## **CONTACT DETAILS**

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## **PRACTICE AREAS**

Criminal Law

International Criminal Law

Terrorism Offences

War Crimes

## **EDUCATION**

University of Wales LLB (Hons)

He works to strengthen the domestic capacity of Kosovan Prosecutors, in this transitional phase of the mission, to ensure a lasting legacy regarding war crimes prosecutions.

## Other War Crimes roles Martin covers include:

- Trial advocacy : opening and closing speeches, examination-in-chief and cross examination of witnesses, make submissions on motions when required during the trial process.
- Liaise with NGO's especially in the area of sexual violence during conflict
- Supervise exhumation sites liaising with both the police and forensic teams.
- Meeting and advising Kosovan government think tank upon corruption.
- Meeting and advising UK Officials upon corruption and war crimes.
- Advising the International Commission for Missing Persons about Kosovan criminal procedure and how it currently impacts upon ongoing missing persons cases.
- Advising on The Mission Implementation Plan.
- Advising on possible changes in Kosovo law to assist the transition process to full local Kosovo control over all war crimes matter.
- Attendance at the International War Crimes Conference regarding Balkan co-operation.
- Drafting Memorandum of Understanding between Kosovo and Serbia about the exchange of information in war crimes cases.

Martin prosecuted two of the Mission's most high profile cases:

- **The Drenica Group trial.** *It involves the prosecution of high ranking KLA members for war crimes committed in 1998. The allegations involve murder and torture. Martin is lead prosecutor in this ten defendant trial which has been running since May 2014.*
- **The Rezella/Raska case.** *This involves large scale cross border investigation and dialogue with Serbia and relates to a massacre during the war where the bodies of the many victims have been concealed in Serbia.*

## UK Criminal Law Work

Work in the UK includes Defence & Prosecution roles in the most complicated and sensitive sexual cases, complex fraud allegations, large scale drug conspiracies and cases involving murder, manslaughter and serious violence.

Martin is often instructed in cases where defendants or witnesses suffer from severe mental health problems or significant learning difficulties.

In sexual offences a significant amount of the cases in which Martin is involved have been sensitive and traumatic and often involved allegations of serious child sexual abuse. Often the allegations were of a historic nature dating back many years.



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## Examples of Defence cases include

**R v JP** – Defended a young man charged with murder as part of a joint attack in Bacup Lancashire were a young woman lost her life. A very high profile case nationally with extensive coverage in press.

**R v KS** – Defended in an attempted murder involving revenge and prolonged torture of the victim.

**R v LN** – Defended in a serious grievous bodily harm case where the defendant tortured the victim.

**R v KR** – Defended a grandfather who was charged with multiple counts of rape and sexual offences. Successfully argued that inadmissibility of evidence obtained from the young victim had not be gained as a result of proper adherence by the police to the achieving best evidence standards.

**R v OT** – Defended the principle Defendant in a paedophile ring involving the systematic abuse of a large number of vulnerable young children in Bolton.

**R v PQ** – Defendant was suffering from a mental disorder was charged with historic sexual abuse younger family members. Argued abuse of process before the Circuit's presiding High Court Judge after cross examination of prosecution's consultant psychiatrist.

**R v PM** – Defended case involving multiple counts of rape and child abuse alleged committed by Uncle upon young members of family.

**R v AM** – Defended in a high profile sexual grooming and kidnapping case in Blackburn involving a number of defendants targeting young and vulnerable girls.

**R v TM** – Defended multiple counts of tax fraud involving hidden assets and multiple identities.

**R v BF** – Defended in drugs conspiracy involving the supply of heroin across east Lancashire and beyond. It involved complex telephone and police surveillance evidence.

**R v NM** – Defended father who had been charged with multiple counts of rape over a number of years. It has associated perverting the course of justice charges based upon complex telephone evidence and also possession of a firearm.

**R v CD** – Defended in an organised crime linked conspiracy to rob relating to a jewellery heist in Manchester and east Lancashire.

**R v ML** – Defended in a complex online sexual grooming case where offender assumed a number of disguises to hide his identity.

## Examples of Prosecution cases include

A Defendant who had raped both of his step children over a five year period. One of the girls had significant learning difficulties and had to give evidence in court via an intermediary.

A Defendant who had raped three of his daughters over many years. One daughter was the mother of three of the Defendant's children whilst she was still under 16 years of age.

A Defendant with serious mental health problems who was almost unfit to stand trial and had been in a secure mental institution for many years, was charged with sexually abusing the young children in his extended family.

The mother of an 18 month old child was charged with manslaughter and child neglect over the child's death.



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# Martin Hackett

Call to the Bar: 1995

*A fifteen year old Defendant charged with murder of a young woman in a vicious and unprovoked attack by him and a gang of his associates.*

*An attempted murder case, where the Defendant, over a number of hours, tortured and tried to kill the victim with a knife, in the victim's own home.*



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