

**Profile**

Charlotte specializes in police law, public law, human rights, discrimination, inquests and inquiries, and malfeasance claims. She is regularly instructed by police forces and government departments/agencies in a range of courts and tribunals. Her practice includes a number of high profile cases and those involving national security and public interest immunity issues. Charlotte was appointed to the Attorney General's B Panel of Counsel in 2014.

**Practice Areas**

POLICE LAW

PUBLIC ADMINISTRATIVE LAW

INQUESTS

PERSONAL INJURY LAW

EMPLOYMENT LAW

Clerks

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Charlotte has been ranked in Chambers UK in police law for several years with recent quotations including: *"She is very thorough, pre-empts well and knows the papers inside out"* (2017); *"Her effort on cases is tireless"* (2017); *"She is approachable and knowledgeable"* and *"is good on her feet"* (2017); *"She is a very intelligent and thorough barrister"* (2016); *"She has hit the mark in terms of personality and how she pitches a case. She is very good on paper and on her feet"* (2016); *"She is very, very good at going through complex medical records and picking out the best points to use"* (2015); *"She has a very analytical, scientific way of going through the evidence"* (2015); *"She is very approachable and no question is too small. She will drop anything to help her clients"* (2014).

Police law

Charlotte's practice embraces all areas of civil and public law relevant to policing. She has extensive experience as a trial advocate, defending civil actions for false imprisonment, assault, malicious prosecution, negligence, discrimination and misfeasance in both jury and non-jury actions. She also has particular expertise in handling judicial review claims for the police and the IPCC. Cases have included challenges to the retention and/or disclosure of police information; promotion policies; police cautions; disciplinary outcomes; and the handling of complaints against the police. Charlotte has acted for the

police in a number of sensitive inquests including firearms incidents, unlawful killing following domestic violence and deaths in custody. She is experienced in dealing with cases involving public interest immunity and national security issues. Charlotte is regularly asked to advise on non-contentious matters including policy, procedure, police powers and operational issues. Charlotte has also represented the police in numerous employment law claims (particularly in relation to discrimination) and disciplinary matters (including related judicial review claims).

Charlotte edits the 5 Essex Court Police Law Update which publishes articles and case law bulletins on topical legal issues affecting Chambers' police law clients.

Examples of recent cases:

Rees & others v Commissioner of Police of the Metropolis [2017] EWHC 273 (QB): substantial damages claims for malicious prosecution and misfeasance in public office arising out of the murder of Daniel Morgan in 1987 (led by Jeremy Johnson QC).

R (Pitts) v Commissioner of Police of the Metropolis [2017] EWHC 646 (Admin): judicial review challenging the interpretation and application of the Home Office Counting Rules on Recorded Crimes in relation to an allegation of rape.

Breeze & Wilson v Chief Constable of Norfolk Constabulary (High Court, ongoing): very high value claim for damages including for loss of share value arising out of the discontinued prosecution of the claimants for conspiracy to defraud various NHS Trusts (led by Jason Beer QC).

McPherson v Chief Constable of Nottinghamshire Police (Court of Appeal, 2016): appeal concerning the admissibility of the Claimant's previous offending history in a jury action for false imprisonment, assault and malicious prosecution; and when the reasonableness of force used by a police officer may be decided by the judge as a question of law without recourse to the jury.

Brown v (1) Chief Constable of Greater Manchester Police (2) Commissioner of Police of the Metropolis (Central London County Court, 2016): claim for misuse of private information, breach of the Data Protection Act and misfeasance in public office arising out of disclosures made between two policing bodies of private travel information relating to the Claimant.

R (XX) v Chief Constable of South Yorkshire Police [2014] EWHC 4106 (Admin): judicial review brought by a convicted sex offender challenging the legality of a scheme providing for the collection, retention and disclosure of information relating to his offending history (led by Jeremy Johnson QC).

R (Simpson & ors) v Chief Constable of Greater Manchester Police [2013] EWHC 1858 (Admin): judicial review concerning the claimants' legitimate expectation as to the application of a promotion selection policy in light of an ongoing promotion freeze.

Inquests

Charlotte has acted in a number of sensitive and document-heavy inquests engaging public interest immunity issues and necessitating the careful handling of allegations of failings/Article 2 breaches on the part of state agencies. These have included:

Firearms incidents eg the shooting of Anthony Grainger – acted for IPCC; Chandler's Ford inquest (interception of armed robbery on a cash in transit vehicle by members of the MPS "flying squad") – acted for Hampshire police.

Unlawful killings eg Lucinda Port (fatal stabbing of the deceased following history of domestic violence) – acted for MPS.

Various prison deaths (including suicides) involving inmates with substance misuse issues, self-harming behaviours and physical and psychiatric ill-health.

Deaths in police custody eg Martine Brandon (deceased choked to death in a police cell as a result of consuming her own underwear) – acted for Hampshire police.

Deaths following emergency services' response eg Daniel McMahon (deceased hit by train following 999 call) – acted for MPS.

Charlotte was junior Counsel for City of London Police in the inquest into the London Bombings of 7 July 2005.

Government litigation/advisory

Charlotte acts for government departments and agencies in a range of private and public law claims and policy matters. She has considerable experience in defending malfeasance claims and is particularly well-placed, by virtue of her extensive police law practice, to deal with cases involving overlap between the functions of the police and government agencies. She has a particular interest in cases involving a national security element and those requiring the application of closed material procedures.

Examples of recent cases:

Motasim v (1) Crown Prosecution Service, (2) Commissioner of Police of the Metropolis, (3) Security Service, (4) Secret Intelligence Service: damages claim for alleged breach of Article 5 following the discontinuance of the prosecution of the claimant for terrorist offences (acting for CPS).

Kamoka & others v Security Service & others: claims for unlawful detention and misfeasance in public office based on the alleged complicity of the British government in the Claimants' detention and torture abroad.

Collins & others v National Crime Agency: claims for breach of confidence, false imprisonment, trespass to goods/conversion arising out of an NCA investigation into alleged corruption and data protection breaches.

Eustace v GCHQ: mesothelioma claim on behalf of a former employee of GCHQ.

Johnson v MoD: personal injury claim arising out of the accidental shooting of the claimant by a fellow soldier at Camp Bastion.

R (O'Brien) v Ministry of Justice: judicial review claim challenging the lawfulness of the claimant prisoner's removal to a segregation unit.

Employment Law

Charlotte has regularly appeared in Employment Tribunals primarily on behalf of Respondents. She has considerable experience in cases involving discrimination (in particular, sex, race, sexual orientation and disability), "whistleblowing" and unfair dismissal claims.

Lectures/training

Charlotte regularly provides CPD lectures to solicitors on all aspects of her practice. Recent topics include:

Civil Actions Masterclass

Data retention and disclosure: Article 8, PII, non-party disclosure and *Norwich Pharmacal* orders

Enhanced Criminal Record Certificates

Discrimination law and its impact on the IPCC

Inquests

Education

Bar Vocational Course, ICSL (2000-2001)

CPE/Diploma in Law, City University (1999/2000)

MA Hons in French and Spanish, University of Edinburgh (1991-1995)

Millfield School (1988-1990)

Malvern Girls' College (1984-1988)

Interests

Skiing, tennis