



Mark has an MA in Philosophy, Politics and Economics from New College, University of Oxford.

Prior to becoming a barrister, Mark worked for several international investment banks. This business experience enables him to bring clear commercial acumen to his advice and advocacy.

Mark has served as a judicial intern to at the Federal Court of Australia, to the current Chief Justice of Australia.

He is a member of the Welsh Government's B Panel of Counsel for public, employment and personal injury law.

Clients say that Mark provides "*an energetic and positive presence*", is "*thoroughly well prepared*" and has "*a reassuring and positive manner with witnesses*".

#### **Police Law:**

Mark advises and represents police forces throughout the country in all aspects of police law. Recent and current cases include civil litigation, judicial reviews, inquests and civil actions for false imprisonment, assault, malicious prosecution, negligence, misfeasance and claims under the Human Rights Act.

#### **Practice Areas**

POLICE LAW  
EMPLOYMENT LAW  
INQUESTS  
PERSONAL INJURY LAW  
LICENSING LAW  
PUBLIC /ADMINISTRATIVE LAW  
PUBLIC INQUIRIES

#### **Clerks**

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Mark has considerable experience in defending civil actions, with a particular interest in claims relating to the Article 3 investigative duty.

Mark regularly appears in the High Court, County Court, Employment Tribunals and at inquests on behalf of police forces.

#### *Recent Police Law cases:*

*Kandamwala v Chief Constable of Cambridgeshire* – Successfully represented the Chief Constable before the Court of Appeal, defeating necessity to arrest and fair trial grounds.

*MLIA & CLEL v Chief Constable of Hampshire* – Acting for the Chief Constable in defending a claim for breach of the Article 3 investigative duty. Led by Dijen Basu QC.

*Anjasmoro v Chief Constable of Northumbria Police* – Defending a claim for false imprisonment and breach of the Article 4 investigative duty where the Chief Constable provided detention facilities for a UKBA operation.

*Vaughan v Chief Constable of Sussex Police* – Successful defence of a claim for assault by a drunken teenager apprehended by officers.

*Marsh v Chief Constable of Cambridgeshire* – Defence of a claim for false imprisonment and assault following the tasing of and arrest of a pub landlord.

*Johnson v Commissioner of Police of the Metropolis* – Appeared for the MPS defending a claim for personal injuries by an officer who suffered chemical burns as a result of CS spray exposure training.

*DSD & NBV v Commissioner of Police of the Metropolis [2015] EWCA Civ 646* – Led by Jeremy Johnson QC in claim concerning the scope of the investigative duty of the police under Article 3. Acted in the subsequent appeal to the Court of Appeal.

*Majchrzak v West Midlands Police* – Acted for the Chief Constable in defending a high value claim for assault and unlawful arrest of a foreign national subject to a European arrest warrant.

*Bello v Commissioner of Police of the Metropolis* – Appeared for the MPS defending a 5-day civil action for false imprisonment, trespass, assault, malicious prosecution, misfeasance in public office and a number of collateral claims.

Operation Demontere – Advised and represented the Metropolitan Police in an extensive operation to close more than 20 premises in Soho linked to prostitution under the Sexual Offences Act 2003.

*Chief Constable of Nottinghamshire Police v X & Y* – A rare application for a Forced Marriage Protection Order.

*Walker v Chief Constable of Cambridgeshire Constabulary* – Successfully represented the Defendant in a claim for wrongful arrest and false imprisonment.

*Best v MoJ and Commissioner of Police of the Metropolis* – Acted for the Metropolitan Police in defending a PI claim. Applied for strike out on Hill grounds and successfully appealed a dismissal of the application at first instance.

### **Police Discipline**

Mark undertakes a wide range of work under the Police Conduct Regulations on behalf of the Appropriate Authority at misconduct hearings and Police Tribunal Appeals.

*Recent cases include:*

*PC S. E. (Surrey Police)* – allegations that the officer failed to properly investigate an allegation of assault against members of the LGBTQT community.

*PC D. F. (Surrey Police)* – allegations that the officer had been violent and aggressive to officers of another force whilst on an off duty night out.

*PC H. (Kent Police)* – allegations that he had used his position as an officer to start sexual relationships whilst investigating crime reports.

*PC T. (Metropolitan Police)* – relating to allegations that the officer had had an inappropriate relationship with a suspect whilst she had been conducting an investigation into his actions.

*PC H. (West Midlands Police)* – relating to allegations that the officer had assaulted an arrested suspect.

### **Inquests**

Mark is a specialist in coronial law and is regularly instructed in Article 2 inquests on behalf of the police.

*Notable cases:*

*Re Pavlou (Dec'd) (representing South Wales Police)* – inquest following the death of a young man in a river following police contact.

*Re Mendes (Dec'd) (representing Warwickshire Police)* – inquest following a 12 hour delay to dispatch police resources to a vulnerable woman who had alleged she was being assaulted. Led by Anne Studd QC.

*Re Harbhajan Kaur (Dec'd) (representing the City of London Police)* – inquest following the collision of a police motorcycle with a member of the public.

*Re Victor Day (Dec'd) (representing Commissioner of Police of the Metropolis)* – inquest into a death following a number police attendances to a “suicidal” man.

*Re Kenneth Cornelius (Dec'd) (representing Commissioner of Police of the Metropolis)* – inquest following the suicide of a firearms officer whilst on duty with his standard-issue police weapon.

*Re Chi Van Nguyen (Dec'd) (representing Commissioner of Police of the Metropolis)* – inquest following a chase of suspect by police officers.

*Re Simon Burgess (Dec'd) (representing Hampshire Constabulary)* – inquest following a rescue/recovery operation of a collapsed man in boating lake, particularly addressing issues of primacy between the emergency services.

*Re Colin Ranford (Dec'd) (representing West Mercia Constabulary)* – inquest following a death in police custody. Examined issues relating to when an individual should receive medical treatment and when an arrest should occur due to drunk and disorderly/incapable conduct.

*Re Benjamin Tate (Dec'd) (representing West Mercia Constabulary)* – inquest following the death of a Royal Marine whilst receiving specialized motorcycle training at high-speeds.

*Re Lee Crosnan (Dec'd) (representing Commissioner of Police of the Metropolis)* – inquest involving police response to suicide.

#### **Public / Administrative Law:**

Mark was appointed to the Welsh Government’s ‘B’ Panel of Counsel in October 2012 and is instructed to provide advice and representation in public law, employment and personal injury cases.

Mark has a busy practice acting for police forces and other public bodies in administrative law proceedings.

*Recent and ongoing cases include:*

*Holman Fenwick Willan v City of London Police and Police Service of Scotland* – Acting for the City of London Police in judicial review and related Part 7 proceedings in a claim for trespass following the execution of a warrant in London by Police Scotland

*London Borough of Southwark v. Persons Unknown (2015)*: instructed on behalf of the London Borough of Southwark Borough in various applications for possession orders.

*Scardfield v Police Medical Appeals Board & Hampshire Police Authority [2013] EWHC 3822 (Admin)* – Successfully defended the Chief Constable in Judicial Review proceedings relating to correct definition of disabled under Police Pension Regulations.

*Tshibangu v Commissioner of Police of the Metropolis* – Successfully resisted an application to JR a

decision to allow further detention of seized cash under the Proceeds of Crime Act.

He is regularly instructed by local authorities for both court work and to advise in-house, Mark has a thorough understanding of education law and the law relating to adult social care. He has acted for Local Authorities and Academies in SENDIST claims, particularly relating to exclusion appeals and reasonable adjustment claims. He has also clerked admissions appeals on behalf of Local Authorities. Mark has also defended a number of employment claims on behalf of schools and has provided schools with advice and representation in breach of contract claims against suppliers.

**Employment Law:**

Mark is an employment law expert, regularly appearing in Employment Tribunals and the Employment Appeal Tribunal.

Mark acts for numerous police forces, public bodies and charities in discrimination claims.

He also has an expanding commercial employment practice and acts for a number of national retailers and other blue chip companies at Tribunal, having acted for, among others, John Lewis, Dixons Carphone Warehouse, Harrods and Sodexo

**Personal Injury:**

Mark advises Claimants and Defendants in County Court personal injury litigation, including road traffic accidents, slipping and tripping, occupiers' liability and employers' liability claims. He regularly appears in fast track and multi-track trials in the county courts.

**Lectures:**

Mark is happy to provide CPD lectures to solicitors on all aspects of his practice. Recent topics include:

Police Misconduct Proceedings and Unsatisfactory Performance Procedures

Judicial Review

The investigative duty under Article 3

**Education:**

BPP Law School, 2004-06

New College, University of Oxford, 2000-03

**Memberships:**

Member of the Personal Injury Bar Association

Member of the Employment Lawyers' Association