



"She is very thorough, pre-empts well and knows the papers inside out." *Police Law, Chambers UK 2017*

"Her effort on cases is tireless." *Police Law, Chambers UK 2017*

"She is approachable and knowledgeable" and "is good on her feet." *Police Law, Chambers UK 2017*

"She is very, very good at going through complex medical records and picking out the best points to use." *Police Law, Chambers UK 2015*

"She has a very analytical, scientific way of going through the evidence." *Police Law, Chambers UK 2015*

"She is very approachable and no question is too small. She will drop anything to help her clients." *Police Law, Chambers and Partners 2014*

"Charlotte Ventham is always thoroughly prepared and offers an excellent service with a quick turnaround time for her paperwork. She represented the Chief Constable of Hampshire in an inquest arising from the high-profile police shooting that occurred in Chandler's Ford in Hampshire 2007." *Police Law, Chambers and Partners UK 2013*

"Charlotte Ventham ... is recommended for her excellent judicial review practice and for her strong analytical skills." *Chambers and Partners 2011*

#### Background:

Charlotte studied for an MA Hons in French and Spanish at the University of Edinburgh from 1991 to 1995 before commencing a (brief) career in publishing. She completed her CPE/Diploma in Law at City University in 2000 and the Bar Vocational Course at the Inns of Court School of Law in 2001.

In the early years of practice Charlotte honed her advocacy skills in the criminal courts before joining 5 Essex Court in 2005 where she has developed a specialist police law and employment practice. In 2014 Charlotte was appointed to the Attorney General's B Panel of Counsel. Charlotte is Developed Vetted.



**Practice Areas**

- POLICE LAW
- PUBLIC ADMINISTRATIVE LAW
- INQUESTS
- PERSONAL INJURY LAW
- EMPLOYMENT LAW

**Clerks**

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#### Police law

Charlotte's practice embraces all areas of civil and public law relevant to policing. She acts for chief officers, PCCs and the IPCC in all cases involving the police including judicial review, malfeasance claims, inquests, discrimination, personal injury and employment. Her practice has included diverse areas of law from human rights - in particular, cases involving alleged breaches of Articles 2, 3, 5 and 8, to data protection, conversion, defamation, licensing and police pensions.

Charlotte has particular expertise in handling judicial review claims for the police and the IPCC. Cases have included challenges to ECRC disclosures, police cautions, changes to promotion policies, police disciplinary outcomes and the handling of complaints against the police. She has extensive experience defending civil actions for false imprisonment, assault, malicious prosecution, negligence and misfeasance in both jury and non-jury actions. Charlotte is regularly asked to advise the police on non-contentious matters including policy, procedure, police powers and operational issues.

Led by Jeremy Johnson QC, Charlotte is currently advising the Metropolitan Police in certain claims and other matters arising out of the high profile murder of Daniel Morgan. Mr. Morgan was a private investigator who was found with an axe embedded in his head in a pub car park in 1987, a crime for which no-one has ever been convicted. The Home Secretary has commissioned a review of the case by an independent panel whose terms of reference include consideration of the role played by police corruption in the handling of the case since 1987.

Additionally, Charlotte has acted for the police in a number of sensitive inquests engaging Public Interest Immunity issues and involving the careful handling of allegations of police failings. These have included firearms incidents, unlawful killing following domestic violence and deaths in custody.

Charlotte has substantial experience of police disciplinary matters having acted as presenting counsel and legal advisor at numerous misconduct hearings and on appeal to the Police Appeals Tribunal. She was instrumental in developing and delivering NPIA-approved training to police forces on all aspects of the 2008 Conduct and Performance Regulations. Charlotte has also dealt with a number of judicial review claims relating to the application of the Conduct Regulations and the Police Reform Act 2002.

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.

### **Inquests**

Charlotte has acted for the police in a number of sensitive and document-heavy inquests engaging Public Interest Immunity issues and necessitating the careful handling of allegations of police failings. These have included firearms incidents, unlawful killing following domestic violence and deaths in custody.

### **Employment Law**

Charlotte regularly appears 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", equal pay, maternity and parental leave, temporary workers, TUPE and unfair dismissal, including redundancy, misconduct and constructive dismissal.

### **Lectures:**

Charlotte regularly provides CPD lectures to solicitors on all aspects of her practice.

Recent topics include: Data retention and disclosure\* Article 8 \* PII\* non-party disclosure \* Norwich Pharmacal orders\*

Enhanced Criminal Record Certificates\* Discrimination law and its impact on the IPCC \* Inquests \* Police misconduct proceedings.

### **Interests:**

Skiing, tennis.

### **Significant work and cases**

#### **Police**

R (Simpson & ors) v Chief Constable of Greater Manchester Police [2013] EWHC 1858 (Admin) - Judicial review concerning the application of the Chief Constable's promotion selection policy in light of an ongoing promotion freeze. The Court held

that the Claimants' legitimate expectation had been breached by the decision not to treat the results they had achieved at the final stage of the promotion selection process as an entitlement to promotion as and when the freeze was lifted.

Reynolds v (1) Chief Constable of Sussex Police (2) Reliance Secure Task Management Ltd (High Court, QBD, 2013) - led by Samantha Leek QC in a very high value personal injury claim arising out of a catastrophic brain injury suffered by the Claimant whilst in police custody. Acted for D2 who were the providers of civilian custody staff responsible for carrying out cell checks.

R (Stratton) v Chief Constable of Thames Valley Police [2013] EWHC 1561 (Admin) - Judicial review claim in which the Court considered the lawfulness of a caution issued in 2008, in particular whether the police had demonstrated on the evidence that the Claimant was properly informed as to the consequences of accepting a caution and had thereby given informed consent.

R (L) v Chief Constable of Cumbria Police [2013] EWHC 869 (Admin) - Judicial review challenging the police decision to disclose on a teacher's enhanced criminal records certificate, an allegation of inappropriate sexual advances made towards a pupil.

Banks v Chief Constable of Nottinghamshire Police (2013) - Defended the Constabulary in a civil claim for false imprisonment, assault and malicious prosecution heard by judge and jury.

R (Monger) v Chief Constable of Cumbria Police [2013] EWHC 455 (Admin) - Judicial review considering the applicability of regulation 3 of the Special Constables Regulations 1965 to the dismissal of a special constable for misconduct.

R (Commissioner of Police of the Metropolis) v Central Criminal Court & (1) Michael Guilfoyle (2) Crown Prosecution Service (Interested parties) [2013] EWHC 179 (Admin) - Judicial review of an unlawful court order purporting to lift a sexual offender's notification requirements in which public interest considerations in upholding the rule of law and in ensuring that reviews of notification requirements are dealt with in accordance with the new statutory procedures overrode the considerable delay in challenging the order.

C v (1) Commissioner of Police of the Metropolis (2) Dr A (3) Dr G (Central London County Court, 2013) - Claim in negligence, under the DDA 1995 and HRA 1998 by a severely disabled man in respect of the conditions of his detention in police custody.

Shepherd v Commissioner of Police of the Metropolis (High Court, QBD, 2013) - High value claim for conversion arising out of seizure and retention by the police of a large quantity of firearms and ammunition from a firearms dealer.

R (Montgomery) v 1) Police Appeals Tribunal, 2) Commissioner of Police of the Metropolis [2012] EWHC 936 (Admin) - Judicial review concerned with the meaning and scope of the grounds of appeal to a Police Appeals Tribunal under the 2008 PAT Rules and the admissibility before the PAT of evidence not before the original misconduct hearing.

Inquest touching the deaths of Paul Nunes and Andrew Markland (2011) - Inquest arising out of a high-profile police shooting incident in Chandler's Ford, Hampshire in 2007 in which members of the MPS "flying squad" intercepted an armed robbery on a cash in transit vehicle.

R (Game) v Chief Constable of Avon & Somerset [2011] EWHC 3567 Admin - Judicial review challenging the decision not to expunge a caution from police records on the basis the Claimant had been induced into accepting the caution at the time.

R (Boyle) v Haverhill Pub Watch [2009] EWHC 2441 (Admin) - Appeared on behalf of Suffolk Constabulary as an interested party in a case concerning the reviewability of a decision by a pub watch scheme to ban the Claimant from licensed premises. The Claimant argued that the pub watch should be subject to review by virtue, in part, of the role played by the police in its operation. As such the case had far-reaching implications for pub watch schemes across the country.

## **Inquests**

Inquest touching the death of Daniel McMahon (2013) - Article 2 jury inquest into the death of a man who was hit by a train whilst on day release from a psychiatric unit where he had been "sectioned". In the 8 minutes prior to the collision, a witness had been relaying events to a 999 call handler.

Inquest touching the death of Lucinda Port (2012) - Article 2 jury inquest into the fatal stabbing of the deceased following a history of domestic violence. Her boyfriend's body had been found in a different location, apparently as a result of suicide.

Inquest touching the deaths of Paul Nunes and Andrew Markland (2011) - Inquest arising out of a high-profile police shooting incident in Chandler's Ford, Hampshire in 2007 in which members of the MPS "flying squad" intercepted an armed robbery on a cash in transit vehicle.

Inquest into the London Bombings of 7 July 2005 (2010) - Junior Counsel for City of London police in the inquests into the deaths of the 52 victims.

## **Employment**

M v Home Office (2014) - Claim for unfair dismissal following the dismissal for gross misconduct of a Higher Executive Officer employed in the Home Office immigration department.

RB v Commissioner of Police of the Metropolis (2013) - Claim for constructive dismissal and various forms of sex and disability discrimination, harassment and victimisation by former civilian staff member arising out of an alleged bullying/intimidating working environment.

P v Chief Constable of Kent Police (2013) - Disability discrimination claim by former Police Community Support Officer following his dismissal for unacceptable attendance.

S v Chief Constable of Kent Police (2013) - Claim for unfair dismissal and under s48 (1A) ERA 1996 (protected disclosure/"whistleblowing") by former civilian staff member following his dismissal for gross misconduct.

Anderson v Chief Constable of Gloucestershire Police (2013) - Dispute as to the amount of redundancy payment paid to the Claimant following a period of secondment on an enhanced salary.

C v L Ltd (2012) - High value constructive dismissal claim brought by an accountant with counterclaim for breach of contract.

H v Chief Constable of Kent Police (2012) - Claim under s48 (1A) ERA 1996, (protected disclosure/"whistleblowing") and disability discrimination, successfully struck out in its entirety.

Grant v Leeds Castle (2012) - Claim for unfair dismissal arising out of an employee's dismissal for gross misconduct despite a long and exemplary service.