



“She is hard-working and always well prepared. Her written submissions are comprehensive and she manages her hearings with confidence. She's a highly likeable advocate.” (**Professional Discipline**) *Chambers UK 2017*

“Well known for her expertise in police law matters relating to the regulation and discipline of law enforcers” (**Professional Discipline**) *Chambers UK 2016*

“She is very effective and doesn't overstate her case.” (**Professional Discipline**) *Chambers UK 2015*



Practice Areas

POLICE LAW

INQUESTS

PERSONAL INJURY LAW

PUBLIC / ADMINISTRATIVE LAW

Clerks

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Francesca Whitelaw is an advocate with “commendable charm and good humour” Court of Appeal in *Pryor v Chief Constable of Greater Manchester* [2011] EWCA Civ 749

Background:

Francesca read English Literature at St John's College, Cambridge. She converted to law and took the BVC at ICSL before undertaking an MA in Law at City University. She was called to the Bar by Inner Temple in July 2003 and accepted tenancy at 5 Essex Court in 2005. Francesca was appointed to the Attorney-General's C Panel of Junior Counsel to the Crown in 2012 and was elevated to the B Panel in 2016.

Police Law:

Francesca advises and represents police forces across the country in all areas of police civil law. These include judicial review, inquests, civil actions for false imprisonment, assault, malicious prosecution, misfeasance, and negligence. She

advises forces on all aspects of operational and policy matters.

Francesca also regularly advises and acts for police forces at misconduct hearings, including the Police Appeals Tribunal and deals with judicial review relating to misconduct issues. Cases have included the discharge of firearms and taser, deaths in custody, corruption, computer misuse, rape, sexual harassment and assault. Francesca acted as the independent legal advisor to the Police Misconduct Panel in the public hearing of allegations against Inspector Mackaill, which arose out of the 'Plebgate' incident.

Public / Administrative Law:

Francesca has considerable experience of all aspects of public / administrative law work including judicial review, prison law, police law and human rights, regularly representing public bodies in claims for judicial review.

As B-Panel Counsel to the Crown, Francesca advises, and is instructed by, the Government Legal Department in false imprisonment, misfeasance, personal injury and other claims brought against the Home Office, the Ministry of Justice, the Ministry of Defence and other government bodies, and at inquests.

Francesca was instructed by the Ministry of Defence to act on behalf of two witnesses in the inquest into the death of Cheryl James at Deepcut Barracks.

Inquests:

Francesca has extensive experience in inquests arising out of deaths in prison and police custody, deaths following police contact and deaths involving army personnel. She also has specialist expertise in the area of police pursuits.

Recent cases:

Inquest touching the death of Jagdip Randhawa (2016)

Francesca represented the Chief Constable of Derbyshire Constabulary for the 3-week jury inquest into the death of a 19-year old Leeds University student. Mr Randhawa died in hospital, having suffered a serious brain injury following a punch by a professional boxer, Clifton Ty Mitchell, who was subsequently convicted of manslaughter. Mr Mitchell was on bail at the time of the incident. The Inquest explored issues relating to Mr Randhawa's care in hospital.

Inquest touching the death of Cheryl James (2016)

Francesca was instructed by the Ministry of Defence to act on behalf of two former soldiers in the further inquest into the death of Cheryl James at the Deepcut Barracks in 1995.

Gross Misconduct Proceedings concerning Inspector Mackaill (Plebgate) (2015-2016)

Francesca acted as independent legal advisor to the Panel in gross misconduct proceedings against a police inspector which arose out of his involvement in, and statements to the press following, a meeting with Andrew Mitchell MP on 12th October 2012. The meeting arose out of incident which became known as 'Plebgate'.

In the matter of Olaseni (Seni) Lewis deceased (2015-2016)

Junior Counsel to the Independent Police Complaints Commission for the inquest and disciplinary matters concerning the death of 23-year old Seni Lewis, who died following police restraint at the Bethlem psychiatric hospital.

R (on the application of Desmond Campbell) v IPCC [2015] EWHC 3424

Counsel to the IPCC in an application for judicial review of its appeal decisions concerning a Metropolitan Police investigation into complaints the Claimant made following the execution of a search warrant at his home.

Gross Misconduct Proceedings against an Officer (2015)

Presenting Counsel for the Chief Constable of a Police Force in gross misconduct proceedings against an officer who had discharged a Taser against a suspect during the course of an arrest.

Inquest touching the death of Wiktoria Was deceased (2015)

Counsel to the Commissioner of Police of the Metropolis for the jury inquest into the death of a 13-year old girl who died when a car, which was being pursued by police at the time, crashed into the vehicle in which she was travelling. The driver of the car pleaded guilty to causing death by dangerous driving and other offences.

Inquest touching the death of Joshua Brown, deceased (2015)

Counsel to the Chief Constable of Surrey Police for the 3-week jury inquest into the death of a 21-year old soldier who was hit by a police vehicle attending an emergency call on the A31 in Surrey in foggy weather.

Inquest touching the death of Henry Hicks (2015-2016)

Francesca represented the Commissioner of Police of the Metropolis in a successful application for anonymity for police officers, who had been subject to death threats, in the context of the inquest into the death of an 18 year-old boy who was riding a vespa scooter at the time of his death. The IPCC are investigating whether police officers were pursuing Henry at the time as well as previous police contact with him.

Inquest touching the death of Harry Kirkham (2015)

Counsel to the Chief Constable of West Midlands Police for the jury inquest into the death of a 15-year old boy who died of a traumatic brain injury after being hit by a police car in March 2015. Harry had been free-running with his friends.

Inquest touching the death of Frances Andrade (2014)

Francesca represented the Chief Constable of Surrey Police at the inquest into the death of a concert violinist who was found dead after giving evidence against a couple who sexually abused her while she was at Chetham's School of Music in Manchester.

Chief Constable of Devon & Cornwall v HM Coroner for Plymouth, Torbay & South Devon & (1) Elber Twomey (2) Wojciechowska (2) Insurers of Wojciechowska (deceased) (4) Independent Police Complaints Commission [2013] EWHC 3729 (Admin)

Francesca appeared on behalf of the Devon and Cornwall Constabulary for the judicial review which arose out of an inquest into the death of a child and a suicidal driver in circumstances where police had attempted to stop the suicidal driver's vehicle.

(1) Daniel Cummings (2) Zahid Bashir (3) Geno Boyoh v Ministry of Justice [2013] EWHC 33 (QB) –

Francesca was instructed as Junior Counsel to Jeremy Johnson QC representing the Ministry of Justice in a claim by prisoners at HMP Frankland, for damages for assault and misfeasance in public office by prison officers.

R (on the application of Ivor Adams) v Independent Police Complaints Commission

Francesca appeared on behalf of the IPCC for the judicial review of a decision to grant dispensation for a police force from the statutory complaints procedure [2013] EWHC 2650 (Admin).

Laurance v Commissioner of Police for the Metropolis (2013)

Counsel to the Commissioner in a claim, tried by judge and jury, for wrongful arrest and false imprisonment, assault and malicious prosecution, brought by a protestor following his arrest at a Stop the War demonstration in Hackney.

Inquest touching the death of Barry deceased (2013)

Counsel to the Chief Constable of Kent Police in the three-week jury inquest into the death of a 14-year old boy who died after drinking methadone (see *R (on the application of Kent County Council) v HM Coroner for Kent (North-West District)* [2012] EWHC 2768 (Admin)).

Re police disciplinary proceedings (2013)

Counsel to the Commissioner in disciplinary proceedings, recommended by the IPCC, against a Hackney police officer who it was found used excessive force against a member of the public during the course of an arrest, leading to serious facial injury. The officer was dismissed following a week's hearing (see <http://www.ipcc.gov.uk/news> for 11th February 2013).

R (on the application of McNeany) v Independent Police Complaints Commission

Francesca represented the IPCC for the judicial review of a decision to dismiss the Claimant's appeal against the dismissal of his complaint to police that he had been blackmailed [2014] EWHC 1873 (Admin).

Re Johns (Deceased) (2013)

Francesca acted as Counsel for the Ministry of Defence in the inquest into the death of an inmate at HMP Hewell who hanged himself.

R (on the application of Driver) v Independent Police Complaints Commission [2012] EWHC 1271 (Admin)

Counsel to the IPCC in the substantive hearing of a claim for judicial review brought by a man challenging his treatment in police custody and the subsequent review of his complaints. The case particularly involved complaints concerning the removal of his clothing, following his attempts to harm himself with it.

Lectures:

Francesca provides CPD lectures to solicitors on all aspects of her practice. Previous lectures include: NPIA-approved training and lectures on the 2008 and 2012 Police Performance and Conduct Regulations and the 2015 amendments; positive duties of the police under Articles 2 and 3 of the European Convention on Human Rights; and Police Disclosure of Information to the Media.

Education:

City University, 2003-2004 and 2001-2002 (Inner Temple Exhibition)

ICSL (Duke of Edinburgh Entrance Scholarship, Inner Temple), 2002-2003

St John's College, University of Cambridge (McMahon Scholarship), 1998-2001

Harvard University, Cambridge, Massachusetts, June-August 1998