



“5 Essex Court’s barristers are at
the cutting edge of everything”

Chambers UK

Top-tier civil law set of chambers recognised for
our exemplary client service, depth and breadth of
experience in our specialist areas and the
outstanding quality of our counsel

5 Essex Court
Temple, London
EC4Y 9AH

T: 020 7410 2000
E: clerks@5essexcourt.co.uk
W: 5essexcourt.co.uk



Fiona Barton QC
Call: 1986 Silk: 2011



Fiona is recognised as a leading silk specialising in all aspects of police law and is rated as “*one of the finest police law barristers in the country*” (Chambers UK). She has represented most of the 43 police forces in England and Wales and appears regularly in high profile, sensitive and ground-breaking cases up to Supreme Court level.

Fiona's practice encompasses judicial review proceedings, civil claims, misconduct proceedings and advisory work. She also appears in high profile public inquiries and inquests. Fiona is adept at handling complex and sensitive cases and has an in-depth understanding of the impact of legal principles on practical policing. According to her clients she has “*gravitas and commands confidence*” and is commended for having “*a fantastic approach to sensitive cases which require sympathy and empathy but a robust defence*” and an “*innate sense of the right solutions to issues raised by new emerging principles*” (Chambers UK).

Current and recent examples of her high profile work include:

- **Perepilichnyy Inquest**
- **London Bridge / Borough Market Inquests**
- **Grainger Inquiry**
- **Chatwani v NCA** – IPT and high value civil damages claim arising from execution of search warrants
- **BES Commercial Energy v Chester West and Chester Trading Standards** – civil claim arising out of regulatory investigations into a commercial energy company
- Senior Officer misconduct proceedings including ACC Sutcliffe and ACC Beale
- **Al Hilli Alps Murders** – disclosure and child protection issues
- Advice on the Joint Doctrine of the Joint Emergency Services Interoperability Programme
- **Hillsborough Inquests**

Fiona was Head of Chambers 2010-2017.

Recommendations

"One of the finest police law barristers in the country. An experienced barrister whom we regularly instruct in high-profile and ground-breaking cases." (Police Law)
Chambers UK 2020

"Simply unrivalled in terms of her expertise and capabilities in the field of police law. She has a calm and compelling manner which instantly wins over clients, advocates and judges alike. Fiona is unflappable, and an absolute pleasure to have beside you in the very most difficult and high-profile cases in this area." (Police Law)
Chambers UK 2020

"Her technical knowledge is outstanding. I have never seen anybody else with her level of knowledge." (Police Law)
Chambers UK 2020

"She showed really good judgement about how best to protect the client while not irritating the judge." (Inquests and Public Inquiries)
Chambers UK 2020

"Very subtle in her advocacy. She doesn't go hell for leather nor does she make excuses." (Inquests and Public Inquiries)
Chambers UK 2020

She has a great reputation in both inquest and police work and commands complete confidence (Inquests and Public Inquiries)
Legal 500 2020

"First-class - superb with clients, superb in terms of her legal knowledge and superb in written and oral advocacy." (Police Law)
Chambers UK 2019

"She is very easy to approach and is pragmatic, sensible and calm." (Police Law)
Chambers UK 2019

"A solid, sensible, pragmatic and pleasant opponent." (Inquests & Public Inquiries)
Chambers UK 2019

"She manages to effectively present the position for her clients, who are often the unpopular party in an inquest." and "She is never fazed by difficult inquests and never lets her guard down." (Inquests)
Chambers UK 2015

"She is great with clients and really knows her stuff." (Professional Discipline)
Chambers UK 2019

"She is extremely hard-working and has a very analytical mind. Also, she is very good with clients and very up to date on the current case law. She just exudes confidence." (Inquests and Inquiries)
Chambers UK 2018

'Well regarded for inquests and inquiries with a police element.' (Inquests and Inquiries)
Legal 500 2019

'Instructed by chief constables in challenging cases.' (Police Law - Defendant)
Legal 500 2019

"She knows the law inside-out and is the best choice for more technically complex issues. She has a fantastic approach to sensitive cases which require sympathy and empathy but a robust defence." (Police Law)
Chambers UK 2018

"Very calm, reassuring and extremely knowledgeable. A go-to person." (Professional Discipline)
Chambers UK 2018

"She's excellent and does a lot of police discipline work." (Professional Discipline)
Chambers UK 2018

“One of the finest police law barristers in the country”... “She displays great sensitivity and has a great client manner”. “She is incredibly experienced and pleasant to work with” and “her knowledge base is extensive – she has gravitas and commands confidence” “She brings an invaluable decisiveness to any case.” (Police Law)
Chambers UK 2017

“She is unflappable, well considered and gives thorough and thoughtful advice. You know you’re getting quality legal advice when she’s on your case.” (Police Law)
Chambers UK 2016

“She is one of the finest police law barristers in the country.” (Police Law)
Chambers UK 2016

“She is hugely knowledgeable and experienced.” (Professional Discipline)
Chambers UK 2016

“She has acute attention to detail, good knowledge of established coronial law and an innate sense of the right solutions to issues raised by new emerging principles.” (Inquests & Public Inquiries)
Chambers UK 2016

“Particularly noted for her experience in inquests concerning deaths in custody.” (Inquests)
Legal 500 2015

“She is trusted with very sensitive cases and provides no-nonsense advice. Her understanding of the law in this area is phenomenal.” (Police Law)
Chambers UK 2014

Police Law

Fiona is one of the country’s leading QCs specialising in police law.

She represents the police in public inquiries, inquests, judicial reviews and civil jury actions. Fiona advises on all aspects of police powers including both policy and operational issues. She is regularly instructed to represent Appropriate Authorities in police misconduct proceedings. Details of cases in the respective disciplines are set out below.

Fiona has particular expertise in dealing with high profile or highly sensitive cases involving substantial quantities of documents and public interest immunity issues.

Fiona has almost 30 years’ experience in civil actions involving the police including CHIS and witness protection claims and issues arising in the family courts. Her cases include:

[2017] *Coghlan v Chief Constable of Greater Manchester Police and others* – Acted for the Chief Constable of Greater Manchester in the civil claim arising out of the arrest of Arran Coghlan on suspicion of murder of Stephen Akinyemi.

[2017] *Chatwani v NCA* – Acted for the NCA in this high value civil claim arising out of the execution of warrants

[2017] *Bourne v Taylor* – Acted for the PCC of Sussex in proceedings brought by her in the High Court pursuant to the Protection from Harassment Act 1997

[2016] *Boyd v Chief Constable of Cleveland* – Acted for the Chief Constable of Cleveland in a sensitive civil claim arising from disclosure issues in a bad on bad kidnap trial.

[2016] *Child X v Chief Constable of Sussex* – Acting for the Chief Constable in a civil claim for damages arising out of a high profile case involving multiple arrests of a child suffering from a genetic condition causing behavioural issues.

[2016] *McGoldrick and Turnbull v Chief Constable of Northumbria Police* – Acting for the Chief Constable regarding the civil claims arising from a high profile shooting by Michael Atherton on New Year's Day 2012.

[2015] *Powell v Chief Constable of West Midlands* – Acted for the Chief Constable of West Midlands defending the claim brought by the family of 'Mikey Powell' following his death in police custody. The death led to racial tensions and high profile public campaign for justice.

Public / Administrative

Fiona regularly appears in high profile public law cases, including at Supreme Court level.

Recent Public / Administrative Law cases include:

[2018] *Re Beale* - Acted for the Chief Constable of West Midlands Police in the expedited judicial review (including injunctive proceedings) concerning apparent bias in misconduct proceedings involving ACC Beale.

[2017] Acted for the Chief Constable of Greater Manchester Police in the judicial review concerning determinations made by the IPCC re disclosure issues arising out of the investigation into involvement of Arran Coghlan in the death of Stephen Akinyemi.

[2016] Acted for the Chief Constable of Nottinghamshire Police in a proposed judicial review by Nottingham City Council of the decision to change the policing delivery model.

[2014] *Nunn (Supreme Court)* [2014] UKSC 37- Acting for Suffolk Constabulary in a test case concerning the disclosure obligations of the police post-conviction and appeal.

[2013] *A v B Constabulary* – Acting for B Constabulary in the Administrative Court in the leading case concerning the vetting of police contractors and their entitlement to reasons for rejection and the impact of public interest immunity considerations.

[2012] *Icelandic Bank Collapse (Tchenguiz)* – Acting for the City of London Police in a judicial review arising out of the arrest and bail of Robert Tchenguiz in connection with his dealings with the collapsed bank.

Civil actions

Fiona has almost 30 years' experience in civil actions involving the police including CHIS and witness protection claims and issues arising in the family courts.

[2017] *Coghlan v Chief Constable of Greater Manchester Police and others* – Acted for the Chief Constable of Greater Manchester in the civil claim arising out of the arrest of Arran Coghlan on suspicion of murder of Stephen Akinyemi.

[2017] *Chatwani v NCA* – Acted for the NCA in this high value civil claim arising out of the execution of warrants

[2017] Bourne v Taylor – Acted for the PCC of Sussex in proceedings brought by her in the High Court pursuant to the Protection from Harassment Act 1997

[2016] Boyd v Chief Constable of Cleveland – Acted for the Chief Constable of Cleveland in a sensitive civil claim arising from disclosure issues in a bad on bad kidnap trial.

[2016] Child X v Chief Constable of Sussex – Acted for the Chief Constable in a civil claim for damages arising out of a high profile case involving multiple arrests of a child suffering from a genetic condition causing behavioural issues.

[2016] McGoldrick and Turnbull v Chief Constable of Northumbria Police – Acted for the Chief Constable regarding the civil claims arising from a high profile shooting by Michael Atherton on New Year's Day 2012.

[2015] Powell v Chief Constable of West Midlands – Acted for the Chief Constable of West Midlands defending the claim brought by the family of 'Mikey Powell' following his death in police custody. The death led to racial tensions and high profile public campaign for justice.

Fiona has extensive experience of civil claims arising from regulatory investigations including Ofgem, Ofcom and Trading Standards

Recent cases include:

[2018] BES Commercial Energy v Chester West and Chester Trading Standards - Acting for Trading Standards in a high value civil claim arising from regulatory investigations into a commercial energy company involving Ofgem and Ofcom.

[2018] Swinton Lock Investigation – Representing the report authors in connection with the Maxwellisation process and threatened civil claims arising out of the alleged misuse of personal information by a registered charity.

[2017] Miller v Oldham Metropolitan Borough Council – Representing the Council in a civil claim arising from a regulatory investigation into the activities of a fraudulently operated kitchen company.

[2016] Rotherham Taxi Licensing Investigation – Representing the independent investigators in connection with proposed civil claims arising from the report into failures of the licensing process leading to sexual abuse of minors.

Inquests

Fiona appears in complex, high profile inquests in both police and regulatory contexts.

In the policing context, she has extensive experience in inquests involving operational policing issues including witness protection, covert human intelligence sources, intelligence and firearms issues. Recent cases include:

[2018] The London Bridge Terror Attack Inquests – Acting for the City of London Police

[2017] The Perepilichnyy Inquest – Acting for Surrey Police in the inquests concerning the death of a Russian in circumstances alleged to give rise to suspicion that he had been poisoned by the Russian authorities.

[2017] Akinyemi Inquest – Acting for Greater Manchester Police in the inquest concerning the death of Mr Akinyemi at the hands of Arran Coghlan.

[2013] – [2016] Hillsborough Inquests – Leading Matthew Holdcroft acting for South Yorkshire Police in the

inquests into the deaths of 96 Liverpool fans at the Hillsborough Stadium in 1989.

[2013] Saldanha – Acting for the King Edward VII Hospital in the inquest into the death of the nurse who was victim of a prank call from an Australian radio station concerning the Duchess of Cambridge.

[2013] Atherton and Mc Goldrick Inquests – Acting for Northumbria Police in the inquests into the high profile deaths of several members of the same family arising from a shooting on New Year's Day. The inquest involved consideration of firearms licensing issues from a police perspective.

[2011] Cumbria Shootings Inquests – Acted for the Cumbria Police in the inquests into the deaths of Derrick Bird and his many victims. It involved close examination of the police preparedness and response to a rampaging gunman.

Public Inquiries

Over the last 15 years Fiona has appeared in some of the most high profile public inquiries involving the police service including:

The Grainger Inquiry – Acting for the NCA in the public inquiry into the shooting of Anthony Grainger by GMP officers

The Independent Inquiry into Child Sexual Abuse – Acting for Surrey Police in the investigation into alleged abuse by members of the Anglican Church.

The Billy Wright Inquiry – Represented the former Chief Constable of the RUC regarding the murder of Billy Wright in HMP Maze.

The Bichard Inquiry – Represented the Chief Constable of Humberside during the public inquiry into the Soham Murders of Holly Wells and Jessica Chapman.

Regulatory

Fiona has extensive experience in regulatory proceedings in various fields including the IPT, police misconduct, Ofgem, Ofcom and Trading Standards investigations. She is well aware of the need for a more nuanced inquisitorial approach to such proceedings.

She has almost unrivalled experience in the police misconduct arena having over 30 years' experience in this field. Her practice encompasses the most high profile cases of recent years including:

[2018] ACC Beale – Presenting the fast track misconduct proceedings arising from the conviction of a Chief Officer under the Official Secrets Act for loss of sensitive papers.

[2017] ACC Sutcliffe – Presenting the misconduct proceedings against a Chief Officer arising from her conduct towards a colleague at a professional event.

[2014]-[2016] Operation Kalmia – The misconduct investigation into the activities of a number of Chief Officers in connection with their handling of a criminal prosecution involving a CHIS.

In other regulatory contexts, Fiona has appeared for various organisations in many forums, recent examples

include:

[2018] *Chatwani v NCA* – Representing the NCA in Investigatory Powers Tribunal regulatory proceedings arising from a criminal investigation.

[2018] *BES Commercial Energy v Chester West and Chester Trading Standards* - Acting for Trading Standards in a high value civil claim arising from regulatory investigations into a commercial energy company involving Ofgem and Ofcom.

[2018] *Swinton Lock Investigation* – Representing the report authors in connection with the Maxwellisation process and threatened civil claims arising out of the alleged misuse of personal information by a registered charity.

[2017] *Miller v Oldham Metropolitan Borough Council* – Representing the Council in a civil claim arising from a regulatory investigation into the activities of a fraudulently operated kitchen company.

[2016] *Rotherham Taxi Licensing Investigation* – Representing the independent investigators in connection with proposed civil claims arising from the report into failures of the licensing process leading to sexual abuse of minors.

Information Law

Fiona's depth of knowledge in this field is illustrated by the fact that she has appeared in leading cases on the topic to Supreme Court level. She has a thorough understanding of how the law works in practice.

Supreme Court

Nunn (Supreme Court) [2014] UKSC 37- Acting for Suffolk Constabulary in a test case concerning the handling of information in the context of disclosure obligations of the police post-conviction and appeal.

L v Commissioner of Police of the Metropolis (Supreme Court) [2009] UKSC 3 – A test case on behalf of the Commissioner concerning personal information in the context of disclosure within the teaching profession.

Other examples include:

[2018] *Swinton Lock Investigation* – Representing the report authors in connection with the Maxwellisation process and threatened civil claims arising out of the alleged misuse of personal information by a registered charity helping victims of sexual abuse.

[2018] *ACC Beale* – Presenting the fast track misconduct proceedings arising from the conviction of a Chief Officer under the Official Secrets Act for loss of sensitive data.

[2016] *Rotherham Taxi Licensing Investigation* – Representing the independent investigators in connection with the compilation of a report into the failure of information management in the taxi licensing process leading to sexual abuse of minors.

[2014] *MG1 v PF1* – Information management issues in the context of art. 2, art. 8 and family proceedings, concerning a family in witness protection.

[2013] *A v B Constabulary* – Acting for B Constabulary in the Administrative Court in the leading case concerning the vetting of police contractors and their entitlement to reasons for rejection and the impact of public interest immunity *considerations*.

[2008] *Madeleine McCann investigation* – Acted for the Chief Constable of Leicestershire, ACPO and

Crimestoppers in legal proceedings in the UK and Portugal in connection with information sharing both in the domestic and international context in respect of the Madeleine McCann investigation.

Human Rights

The rights enshrined in the Convention are a constant thread running through the entirety of Fiona's practice. As she regularly represents parties to whom Convention obligations attach she is very familiar with all types of such claims.

By way of example:

[2018] Swinton Lock Investigation – Representing the report authors in connection with the Maxwellisation process and threatened civil claims arising out of the alleged misuse of personal information by a registered charity helping victims of sexual abuse. Articles 3, 8 and 10 issues under consideration.

[2018] London Bridge Attack Inquests – Court considering anonymity and special measures applications in respect of firearms officers in the context of Articles 2, 8 and 10.

[2018] Kingsley Burrell – Acting for West Midlands Police in connection with proceedings arising from a death in hospital following police contact and use of force. Article 2 and 3 under consideration.

[2017] – [2018] Grainger Inquiry – Ongoing public inquiry into the death of a suspected armed robber. Inquiry is considering Public interest immunity issues engaged the interaction of articles 8 and 10 and the force used involved consideration of articles 2 and 3..

[2016] Child X v Chief Constable of Sussex - Civil claim for damages arising out of a high profile case involving multiple arrests of a child upon whom a spit hood was used. Articles 3 and 5 in play..

[2014] MG1 v PF1 – Information management issues in the context of art. 2, art. 8 and family proceedings, concerning a family in witness protection

[2013] Al Hilli Alps Murders – Family court proceedings concerning the arrangements for care of the All Hilli children following the murder of their parents. Articles 2 and 3 engaged.

Healthcare

Fiona is recognised as a leading silk and her practice encompasses judicial review proceedings, civil claims, professional misconduct proceedings and advisory work. Fiona is adept at handling complex and sensitive cases and has an in-depth understanding of the impact of legal principles. According to her clients she has “gravitas and commands confidence” and is commended for having “a fantastic approach to sensitive cases which require sympathy and empathy but a robust defence” and an “innate sense of the right solutions to issues raised by new emerging principles” (Chambers UK)

Inquests

Fiona appears in complex, high profile inquests Recent cases include:

The London Bridge Terror Attack Inquests [2018] - acting for the City of London Police

The Perepilichnyy Inquest [2017] – Acting for Surrey Police in the inquests concerning the death of a Russian in circumstances alleged to give rise to suspicion that he had been poisoned by the Russian authorities.

Akinyemi Inquest [2016] – Acting for Greater Manchester Police in the inquest concerning the death of Mr Akinyemi at the hands of Arran Coghlan.

Hillsborough Inquests [2013] – [2016] – Leading Matthew Holdcroft acting for South Yorkshire Police in the inquests into the deaths of 96 Liverpool fans at the Hillsborough Stadium in 1989.

Saldanha [2013] – Acting for the King Edward VII Hospital in the inquest into the death of the nurse who was victim of a prank call from an Australian radio station concerning the Duchess of Cambridge.

Atherton and Mc Goldrick Inquests [2013] – Acting for Northumbria Police in the inquests into the high profile deaths of several members of the same family arising from a shooting on New Year's Day. The inquest involved consideration of firearms licensing issues from a police perspective.

Cumbria Shootings Inquests [2011] – Acted for the Cumbria Police in the inquests into the deaths of Derrick Bird and his many victims. It involved close examination of the police preparedness and response to a rampaging gunman.

Inquiries

Fiona has appeared in some of the most high profile public inquiries, including:

The Grainger Inquiry – Acting for the NCA in the public inquiry into the shooting of Anthony Grainger by GMP officers

The Independent Inquiry into Child Sexual Abuse – Acting for Surrey Police in the investigation into alleged abuse by members of the Anglican Church.

The Billy Wright Inquiry – Represented the former Chief Constable of the RUC regarding the murder of Billy Wright in HMP Maze.

The Bichard Inquiry – Represented the Chief Constable of Humberside during the public inquiry into the Soham Murders of Holly Wells and Jessica Chapman.

Regulatory

Fiona has extensive experience in regulatory proceedings in various fields including the IPT, police misconduct, Ofgem, Ofcom and Trading Standards investigations. She is well aware of the need for a more nuanced inquisitorial approach to such proceedings.