



“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



Samantha Leek QC
Call: 1993 Silk: 2012



Sam is ranked as a leading silk. Her practice focuses on inquests and public inquiries and related litigation, human rights, public law and claims against the police, government departments and other public bodies.

Sam acts for a range of clients in high profile cases. She is rated for her "*pitch perfect advocacy*" and is described as "*A go-to counsel*" (Legal 500) who is "*Incredibly charming*", "*she's also very tough: if she were representing you, you would be over the moon*" (Chambers UK).

Notable examples of Sam's recent inquest work include: inquests into the deaths of: **the victims of the Westminster Bridge and London / Bridge terrorist attacks; 96 Hillsborough victims, Mark Duggan; Jean Charles de Menezes and the victims of the Tunisia shootings**. Sam is currently representing HMG in the inquest into the **Birmingham Pub Bombings** and is acting on behalf of Serco in the inquest into the death of **Lorraine Barwell** (the first Prisoner Custody Officer to be killed by a prisoner whilst on duty).

Public inquiries include: **Marchioness Inquiry, Azelle Rodney Inquiry, Anthony Grainger Inquiry, Undercover Policing Inquiry, Independent Inquiry into Child Sexual Abuse**.

Recommendations

"Clients absolutely have the utmost faith in her. She gives clear advice, has very thorough knowledge of inquest law and has a really nice, easy charm." (Police Law)
Chambers UK 2020

"A superb advocate who has an excellent depth of knowledge. I am consistently impressed with her knowledge and advice." (Police Law)
Chambers UK 2020

"She is a superb courtroom performer and a real specialist in inquests and inquiries." (Inquests and Inquiries)
Chambers UK 2020

"She's tough when she needs to be but also very sensible." (Inquests and Inquiries)
Chambers UK 2020

"She's great at focusing on what's really relevant." (Inquests and Inquiries)
Chambers UK 2020

"An imperturbable and systematic advocate.(Police Law)
Legal 500 2020

"Extremely knowledgeable in the area with a calm, reasoned and excellent manner." (Inquests and Inquiries)
Legal 500 2020

"She is exceptional at controversial inquest work and is extremely forceful and sensible." (Police Law)
Chambers UK 2019

"Exceptional with clients and a go-to for anything involving firearms." (Police Law)
Chambers UK 2019

"She has very good judgement and engenders confidence because she doesn't run bad points." (Inquests & Public Inquiries)
Chambers UK 2019

'She quickly wins the trust of clients and the judge or coroner.' (Inquests and Inquiries)
Legal 500 2019

'She handles inquests and inquiry representation for police forces and officers.' (Police Law - Defendant)
Legal 500 2019

"A very good lawyer. She has probably forgotten more about inquests law than others will ever learn." (Inquests and Inquiries)
Chambers UK 2018

"She has a great client manner and is very good at dealing with bereaved families." (Inquests and Inquiries)
Chambers UK 2018

"She can master a brief and can jump from representing coroners to witnesses to interested parties. Not all barristers can do that. She is very good at putting on different hats." (Inquests and Inquiries)
Chambers UK 2018

"A superb advocate with an excellent depth of knowledge." (Police Law)
Chambers UK 2018

"She facilitated discussion and put the chief constables at their ease with a very relaxed manner." (Police Law)
Chambers UK 2017

"She is level-headed, fantastic with clients and an expert on police shootings." (Police Law)
Chambers UK 2017

"She has the ability to remain impartial and to manage process effectively in the most sensitive cases, which is a very great skill." (Inquests and Inquiries)
Chambers UK 2017

"Incredibly charming, which is important with judges. She's also very tough: if she were representing you, you would be over the moon." (Inquests and Inquiries)
Chambers UK 2017

"A go-to counsel for inquests and inquiries." (Inquests and Inquiries)
Legal 500 2017

"Always willing to listen, but also extremely tough and robust when necessary." (Police Law - defendant)
Legal 500 2017

"She is a truly fantastic barrister with an excellent depth of knowledge." (Police Law)
Chambers UK 2016

“A solid advocate who is good on the law.” (Inquests & Public Inquiries)
Chambers UK 2016

“Has an ability to set clients’ minds at rest in difficult circumstances.” (Inquests & Public Inquiries)
Chambers UK 2016

“She is extremely approachable and has a great client manner.” (Inquests & Public Inquiries)
Chambers UK 2015

“In some problematic cases, her sensitive manner has allowed her to break down reluctant witnesses in the nicest possible way.” (Inquests & Public Inquiries)
Chambers UK 2015

“She is highly personable, approachable and accommodating.” (Police Law)
Chambers UK 2015

“She combines pitch-perfect advocacy with excellent empathy and client skills.” (Inquests)
Legal 500 2015

“She is very effective. She is very good at identifying what her client’s objectives are, and at fighting for them.”
(Inquests & Public Inquiries)
Chambers UK 2014

“An extremely calm and collected advocate who is able to control a potentially explosive case.” (Inquests & Public Inquiries)
Chambers UK 2014

“An excellent practitioner who is very charming.” (Police Law)
Chambers UK 2014

Inquests

Sam is rated as a leading silk in inquests and public inquiries, representing individuals, Police Forces, private and public companies, coroners, the Home Office, the Ministry of Defence and other government departments and agencies. She frequently gives lectures to solicitors, clients, police and coroners on the conduct of inquests; appeared on Radio 4’s “Unreliable Evidence” to discuss inquests and was the Times “Lawyer of the Week” following her role as Counsel to the Tunisia Inquests. In addition to advising coroners in relation to law, practice and procedures, notable cases include:

Westminster Bridge and London Bridge / Borough Market terrorist attacks – Representing the Government in the forthcoming inquests.

Birmingham Pub Bombings – Acting on behalf of the government in the inquests (and related judicial review proceedings) into the deaths of those killed in the Birmingham Pub Bombings in 1974.

Barwell - Representing Serco in the inquest into the death of Lorraine Barwell, a Serco employee who was killed by a prisoner whilst on duty. This also involves related Health and Safety and Civil Proceedings.

Tunisia Shootings Inquests - Appointed as Counsel to the inquests by HHJ Loraine-Smith.

Inquest into the death of Bijan Ebrahimi - Instructed as counsel for the Chief Constable of Avon and Somerset for the inquest and civil proceedings arising out of the death of Bijan Ebrahimi, who was murdered by neighbours

who wrongly thought him to be a paedophile.

Hillsborough - Represented Operation Resolve, appointed by the Home Office to investigate all criminal aspects of the Hillsborough disaster, including Health and Safety issues under the Health and Safety at Work Act and potential criminal responsibility of the ambulance service and local authority. There was ongoing liaison throughout the inquest process with HSE, IPCC and CPS.

Inquest into the death of Dr Abbas Khan - Counsel to HM Chief Coroner in the inquest arising from the death of a British doctor detained in Syria.

Inquest into the death of Mark Duggan - Mark Duggan was shot by officers from the MPS in August 2012. His death sparked riots in London and elsewhere. In the inquest into his death Sam represented the Serious Organised Crime Agency, which had provided to the MPS the intelligence upon which their surveillance operation was based.

Inquest into the death of Ian Tomlinson - Represented the Metropolitan Police Service in the inquest (and related civil litigation) into the death of Ian Tomlinson, who died shortly after being pushed over by an MPS officer, during the G20 riots.

Inquest into the death of John Charles de Menezes - Counsel for 16 members of CO19, the Metropolitan Police Service Firearms Unit in the inquest arising from the shooting of Jean Charles de Menezes and the related judicial review claim.

Inquest into the death of Terry Nicholas - Counsel for the 3 Metropolitan Police Service 'Specialist Firearms Officers' who discharged firearms and fatally wounded Terry Nicholas.

Inquest into the death of Simon Murden - Counsel for the Chief Constable of Humberside in the seven-week inquest into the shooting of Simon Murden.

Inquest into the death of Stephen Brown - Acted on behalf of Serco Home Affairs in the four-week inquest into the death of Stephen Brown who died of septicaemia whilst in Doncaster Prison. The inquest centred on alleged failures in healthcare at the prison.

Inquests into the deaths of David Christie / Paul Macaulay - Acted on behalf of the Ministry of Defence in the inquests into the deaths of members of the Royal Navy, who died whilst undergoing training to be Navy divers.

Public Inquiries

Sam has extensive experience of public inquiries. Notable examples include:

Independent Inquiry into Child Sexual Abuse:

- Child Migration strand (on behalf of the Department of Health);
- Nottinghamshire Care Homes strand (on behalf of the Chief Constable of Nottinghamshire);
- Lord Janner strand (on behalf of the Chief Constable of Leicestershire);
- Custodial Institutions (on behalf of Chief Constable of Northamptonshire).

Undercover Policing Inquiry - Acting on behalf of the Chief Constables of Leicestershire and Nottinghamshire.

Anthony Grainger Inquiry – Representing the National Crime Agency.

Marchioness Inquiry – Junior counsel to the Inquiry.

Thames Safety Inquiry – Junior counsel to the Inquiry.

Azelle Rodney Shooting Inquiry - Represented Specialist Firearms Officer E7 who shot and killed Azelle Rodney who was in a car en route to commit a robbery.

Inquiry into Libraries in the Wirral – Counsel to the Inquiry.

Police Law

Sam represents the police in most areas of civil law, including judicial review, inquests, claims for assault, false imprisonment, malicious prosecution and misfeasance in public office and advises on all aspects of police powers including policy and operational issues.

Notable cases include:

Inquests (see Inquest experience) into the deaths of: **96 Hillsborough Victims, Mark Duggan, Ian Tomlinson, Jean Charles de Menezes, Terry Nicholas, Simon Murden, David Sycamore, Fosta Thompson, Andrew Kernan.**

Public inquiries (see Public Inquiry experience) – Currently acting on behalf of various Chief Constables in the **Undercover Policing Inquiry** and a number of strands of the **Independent Inquiry into Child Sexual Abuse.**

R (on the application of Vijay Karia) v Chief Constable of Hampshire Constabulary [2015] EWHC 4083 (Admin) - Judicial review relating to police disciplinary procedures.

Julia Tomlinson & others v Commissioner of Police of Metropolis - Representing the Commissioner in the civil claim arising out of the death of Ian Tomlinson, who died after being pushed over by PC Simon Harwood.

Allen v Chief Constable of Hampshire [2013] EWCA Civ 967 - Court of Appeal found that Article 3 gave rise to an obligation on the part of the State to conduct an effective investigation into allegations that treatment amounted to violation of a person's rights, but that the scope of the obligations would differ greatly depending on whether the violation was inflicted by agents of the State or, at the other end of the scale, private individuals, as in the instant case.

Desmond v Chief Constable of Nottinghamshire [2009] EWHC 2362 (QB) - Representing the Chief Constable of Nottinghamshire in resisting Mr Desmond's appeal against the order of the County Court striking out his claim in negligence.

R (Gunn) v MAPPA [2009] EWHC 1812 - See Public Law experience.

R (De Menezes) v HM Assistant Deputy Coroner for Inner South London [2008] EWHC 3356 - Urgent application for permission by the family of Jean Charles De Menezes, challenging the Coroner's ruling which restricted the verdicts and questions to be left for the jury to consider.

Charles v Commissioner of Police of the Metropolis (2008) Central London County Court - Civil jury action in which the Claimant claimed damages for assault, false imprisonment and malicious prosecution.

Singh v Chief Constable of West Midlands [2006] EWCA (Civ) 1118 - See Public Law experience.

Alder v Police Complaints Authority & others - Acted for the PCA in long running claim for discrimination and misfeasance in public office.

R (Mulholland) v HM Coroner for Inner North London [2003] EWHC 2612(Admin) - Acted for Commissioner in JR against decision of Coroner.

R (Stanley) v HM Coroner for Inner North London [2003] EWHC 1180 (Admin) - Acted for Commissioner in judicial review against decisions of Coroner.

Public / Administrative

Sam appears in the Administrative Court on behalf of Police Forces and government departments. She undertakes all areas of public law work, including prison law, judicial review, human rights.

Recent Public/Administrative Law cases in addition to those included under Police Law:

Re Jonnie Meek - Advising Clinical Commissioning Group with regard to an application to the Attorney General for a fiat seeking a fresh inquest. Alleged clinical negligence and insufficiency of inquiry.

Re Parkinson – Acting on behalf of HM Coroner for Kent in forthcoming judicial review of a number of decisions during the course of the inquest. Alleged clinical negligence and insufficiency of inquiry.

Goode v Chief Constable of Nottinghamshire [2013] EWHC 1726 (Admin) - Validity of a search warrant and the jurisdiction of the Crown Court to examine the circumstances of the issue of a warrant by a magistrates' court

R (Sreedharan) v HM Coroner for Greater Manchester [2013] EWCA Civ 181 - Appeal to Court of Appeal concerning scope and ambit of coroners' inquests.

R (De Menezes) v HM Assistant Deputy Coroner for Inner South London [2008] EWHC 3356 - Urgent application for permission by the family of Jean Charles De Menezes, challenging the Coroner's ruling which restricted the verdicts and questions to be left for the jury to consider.

R (Pounder) v (1) HM Coroner for North & South Districts of Durham & Darlington (Defendant) (2) Youth Justice Board (3) Serco Home Affairs Ltd (4) Lancashire County Council (Interested Parties) [2009] EWHC 76 (Admin) (Administrative Court) - Represented Serco Home Affairs Ltd, who operated Hassockfield Secure Training Centre, where Adam Rickwood had hanged himself in his cell, aged 14. The Claimant, Adam's mother, applied for judicial review of a decision of the defendant coroner not to make any ruling as to the legality of a restraint used on Adam before his death.

R (Gunn) v MAPPA [2009] EWHC 1812 - Advised MAPPA in a JR in which the Claimant claimed that MAPPA had wrongly categorised him as Category 3, Level 3 according to the MAPPA Guidelines and accordingly imposed too stringent licence conditions.

JN (Cameroon) v SSHD [2009] EWCA Civ 307 - Appeal against a decision of the Asylum and Immigration Tribunal to uphold the SSHD's deportation order.

MF (Jamaica) v SSHD [2007] EWCA (Civ) 1153 - Appeal against the decision of the AIT as to whether there was a subsisting marriage.

Singh v Chief Constable of West Midlands [2006] EWCA (Civ) 1118 - Challenge to the way in which West Midlands police had dealt with protests against the play *Bezhiti*, which some members of the Sikh community found

deeply offensive. The Claimant challenged the lawfulness of a direction to disperse protesters which had been issued on 16.12.04 pursuant to section 30(4) of the Anti Social Behaviour Act 2003 ('ASBA').

Regulatory

Sam has advised the Secretary of State for Health and Secretary of State for Children Schools and Families in a number of appeals by nurses and teachers against inclusion on the Protection of Vulnerable Adults List and Protection of Children list.

Sam has also acted in judicial reviews surrounding disclosure of NMC disciplinary findings relating to nurses and advised on the relationship between discipline / inspections / disclosure.

Sam has acted in numerous police and Ministry of Defence Police disciplinary cases.

Sam regularly advises on the interrelationship between inquests / public inquiries and ongoing disciplinary proceedings (whether police, prison, medical or other).

Personal Injury

Over the last 20 years, Sam has been instructed on behalf of private companies, individuals, police forces, government departments (including Home Office, MOD, Department for Transport, Ministry of Justice, FCO) and privately run prisons in all aspects of personal injury law including:

- claims for damages for psychiatric injury;
- claims by prisoners for negligence / assault;
- employer's liability;
- claims arising out of deaths in custody and police shootings;
- road traffic accidents;
- occupier's liability;
- Highways Act claims;
- fatal accidents.

Healthcare

Sam is ranked as a leading silk. Her practice focuses on inquests and public inquiries and related litigation, human rights, public law and claims against the police, government departments and other public bodies.

Sam acts for a range of clients in high profile cases. She is rated for her *"pitch perfect advocacy"* and is described as *"A go-to counsel"* (Legal 500) who is *"Incredibly charming"*, *"she's also very tough: if she were representing you, you would be over the moon"* (Chambers UK).

Notable examples of Sam's inquest work include: inquests into the deaths of: the victims of the Westminster Bridge and London / Bridge terrorist attacks; 96 Hillsborough victims, Mark Duggan; Jean Charles de Menezes and the victims of the Tunisia shootings. Sam also represented HMG in the inquest into the Birmingham Pub Bombings and acted on behalf of Serco in the inquest into the death of Lorraine Barwell (the first Prisoner Custody Officer to be killed by a prisoner whilst on duty).

Public inquiries include: *Marchioness Inquiry, Azelle Rodney Inquiry, Anthony Grainger Inquiry, Undercover Policing Inquiry, Independent Inquiry into Child Sexual Abuse.*

Healthcare

Brown v Premier (inquest / civil proceedings) – death relating to alleged failures in healthcare.

Care standards

Represented Secretary of State for Health in an appeal by a Registered Mental Nurse (Rosemary Vargas) against her inclusion on the protection of Vulnerable Adults List and Protection of Children list.

Advised Secretary of State for Children Schools and Families in relation to an appeal against his inclusion on the Protection of Children list to the Care Standards Tribunal under section 144 of the Education Act 2002.

Judicial reviews (**Dedman / Noble**) surrounding disclosure of NMC disciplinary findings relating to nurses. NB – relationship between discipline / inspections / disclosure.

Clinical negligence / disciplinary issues in prison / hospital cases

Sam has acted in literally hundreds of cases relating to injuries and failure properly to treat in prison, including:

- *Zoppola* – paraplegic in prison – failure to diagnose and treat pressure sore, resulting in surgery and skin graft
- *Abdul-Latif* – alleged failure to diagnose fracture
- *Moss* – negligent treatment of burns to arm
- *Carmody* – failure to diagnose peritonitis
- *McCrossan*
– negligent treatment of inmate – whether intracerebral bleed was due to trauma or spontaneous bleed.
- *Jonny Meek (dec'd)* – application for AG's fiat to reopen inquest into death following alleged clinical negligence of treating hospital – fresh evidence case.
- Numerous suicides related to alleged failures in treatment for psychiatric injury.