

SEMINAR:

Holding the State to Account: Public Inquiries and Inquests

THE



ENQUIRER

8th November 2012

Who Killed Charlie Barrow?

Mystery still surrounds the death of notorious East-End gangster Charlie “The Chainsaw” Barrow. Barrow’s reign of terror ended in 1988 when he was found, hanged, at a lock-up in Whitechapel.

The Coroner, Sir Sidney High-Horse Bt, recorded a verdict of suicide having taken evidence from PC Wilson, who found the body, and pathologist Dr Nigel Bryfelook. Barrow’s widow, Maggie, has claimed ever since that he was murdered, alleging a web of conspirators including the Met Police, MI5, and the Cabinet minister who described Barrow as a ‘wound requiring stitching’.

Last month, the Secretary of State for Justice and the Attorney General announced that they had refused Maggie’s requests for a public inquiry and a fresh inquest. She now seeks judicial review of those decisions, arguing that Article 2 ECHR requires a full and independent investigation and/or that fresh evidence demands that the verdict of suicide be quashed



and a new inquest held. The case will be heard on the 8th November.

Join members of One Crown Office Row for a mock trial and discussion, drawing on latest case law concerning the scope of Article 2 investigations, the grounds for a public inquiry, and the test for re-opening inquests

The mock trial will feature:

Neil Garnham QC as the judge and **Jeremy Hyam, Richard Mumford, Caroline Cross and Matthew Hill** as Counsel with **Adam Wagner** as Counsel to an Intervenor.

The trial will be followed by a panel discussion of the issues arising.

The Panel will comprise:

The Rt Hon Sir Scott Baker (Chair)
Neil Garnham QC
Philippa Whipple QC
Peter Skelton

When:

8th November 2012 from 6pm (registration at 5.30pm)

CPD:

1.5 points

RSVP:

Email events@1cor.com to confirm your place



One Crown Office Row

Public Inquiries and high-profile inquests have dominated News headlines for many years, with members of One Crown Office Row appearing in many of them including:

The Leveson Inquiry into the ethics of the press;

The Mid Staffs Inquiry into the regulation of care provided by the Mid Staffordshire NHS Foundation Trust;

The 7/7 Inquest;

The Victoria Climbié Inquiry.

Meet the Speakers:

Sir Scott Baker is a former Lord Justice of Appeal and a former member of One Crown Office Row. Significant cases upon which Sir Scott has presided include: the trial of Great Western Trains following the Southall rail crash in 1997; the trial of Jonathan Aitken on charges of perjury following the collapse of Aitken's libel suit against The Guardian. He also sat as coroner for the inquests into the deaths of Princess Diana and Dodi Fayed.

Neil Garnham QC has a strong public law practice, with the bulk of his work in the fields of public inquiries and judicial review. Neil was counsel to the Victoria Climbié Inquiry and acted on behalf of MoD witnesses in the Baha Mousa Inquiry. He represented the Security Service in the 7/7 inquest and the Metropolitan Police in the Leveson Inquiry. Neil will shortly be appearing in the Al-Sweady Inquiry and the Inquest into the death of Alexander Litvinenko

Philippa Whipple QC has experience in a number of practice areas. Her main specialisms are public law, tax and health law. In November 2010 she was appointed as Lead Counsel to the Detainee Inquiry, chaired by Sir Peter Gibson, to investigate alleged involvement of British officials in the ill-treatment of detainees post 9/11. The Inquiry recently delivered its reports to Government. She has now returned to full-time practice in chambers.

Jeremy Hyam practises in Administrative and Public Law, Public Inquiries, Inquests, Human Rights, and all aspects Health and Regulatory Law including Clinical Negligence. He was Counsel for a key core participant in the Mid Staffs public inquiry, the report of which is to be published in January, and Counsel for the Claimant in *R(Duggan) v. Coroner for Northern District of Greater London*, [2010] EWHC 1263 (Admin) a case bearing some similarity to the facts in the mock trial. He is on the Attorney General's A Panel of Counsel and recommended as a leading junior in (amongst other areas) in Administrative and Public Law and Civil Liberties Human Rights, in Chambers and Partners and the Legal 500.

Peter Skelton has been instructed in several major public and private inquiries in the last fifteen years, most recently the Leveson Inquiry, the Al-Sweady Inquiry and the Mid Staffordshire NHS Foundation Trust Public Inquiry. From 2005 to 2009, he was Junior Counsel to the Rosemary Nelson Inquiry, which investigated allegations of Government collusion in the murder of the Northern Irish solicitor, Rosemary Nelson. Prior to that, he appeared in the Bristol Royal Infirmary Inquiry, the Ayling Inquiry and the Royal Liverpool Children's Inquiry.

Richard Mumford has substantial experience of coronial law, having acted on behalf of family members and other interested persons at a large number of inquests, frequently involving complex issues of medical treatment. He recently appeared on behalf of a GP witness at the well-publicised inquest into the deaths of two patients under the care of Dr Ubani, a German medical practitioner contracted to perform out of hours care in East Anglia.

Richard's wider experience in public law and human rights includes acting on behalf of the Save Eastbourne DGH campaign group in judicial review proceedings concerning reduction in maternity services. He also appeared in the Court of Appeal on behalf of the Home Secretary in *Secretary of State for the Home Department v Baiai & Ors* (concerning marriage and immigration law). Richard is a member of the Human Rights Lawyers Association (HRLA) and the Administrative and Constitutional Law Bar Association (ALBA).

Caroline Cross is regularly instructed in inquests by families, NHS Trusts and medical professionals. She has also undertaken inquests involving mental health issues and sexual abuse allegations.

Caroline was Junior Counsel for the Treasury Solicitor in the Baha Mousa Public Inquiry (2008-2010), which investigated the death of Iraqi civilian Baha Mousa who died whilst in British custody.

Caroline also has a particular interest in the areas of human rights, clinical negligence, and personal injury, and

advises on the overlap between human rights claims and tortious claims. In addition, she represents clients in cases arising out of childhood sexual abuse.

Adam Wagner has been ranked as a leader in his field for civil liberties and human rights in the forthcoming Chambers and Partners 2013, and has been appointed to the Attorney General's 'C' Panel of Counsel. He regularly appears in High Court Judicial Review proceedings instructed by both claimants and defendants. He has also recently been instructed in a series of major public inquiries: Mid Staffordshire NHS Foundation Trust Public Inquiry; Al-Sweady Public Inquiry; Baha Mousa Public Inquiry. Adam is also a founding editor and regular contributor to the UK Human Rights Blog, a legal update service written by members of One Crown Office Row. He also writes regularly for the Guardian and Legal Week on all aspects of human rights and public law, and comments in a wide range of media.

Matthew Hill joined Chambers in 2010 after successful completion of his pupillage and is building a practice specialising in public law, inquiries and inquests, clinical negligence and medical disciplinary proceedings. He is currently instructed on the Al-Sweady Public Inquiry, having previously worked for the Detainee Inquiry on questions concerning the international and domestic law on torture. He has recently appeared at the inquests into the deaths of six people in the Lakanal House fire in South London in 2009, representing the estate's tenants and residents association.

Matthew studied and taught Modern History at Oxford University, specialising in British nuclear weapons policy in the 1950s. He was a Visiting Fellow at the Australian National University and also studied at the National University of Singapore. Before coming to the Bar he worked, for many years, as an historian on the Bloody Sunday Inquiry.

A regular contributor to 1 COR's Human Rights Blog, Matthew has a particular interest in the scope and application of Articles 2 and 3 of the European Convention.