



# Adam Straw

Called 2004



Winner of Young Legal Aid Barrister of the Year

## Areas of Practice

- Human Rights
- Public
- Civil
- Employment and discrimination

### Public law and human rights

Adam specialises in judicial review and civil claims against public authorities. He has successfully represented claimants in numerous public law claims, and has acted at all levels including at the Supreme Court. He focuses on cases involving inquests, prisons, mental health, crime, police, community care, and immigration detention. His practice extends to other areas, for example, conducting an ASBO judicial review for Liberty, and a public law indirect discrimination case against the CICA for reducing awards for female rape victims on the basis that they were intoxicated at the time.

### Prison law

Adam represents prisoners in public law claims involving all aspects of prisoner rights, including sex offender registration, parole, offending behaviour work, mental health and discrimination. He also undertakes parole hearings and civil claims for damages.

### Inquest law

Adam co-authored the new edition of the LAG book '*Inquests – a practitioner's guide*'. He also writes widely in legal journals on coronial law and practice, and speaks and provides training. He regularly undertakes public law challenges relating to coronial decisions. For example, he was junior counsel for the family of Jean Charles De Menezes in their challenge to the coroner's decision on verdicts, and for two of the three claimants in the important recent decision of *R (Lewis) v HM Coroner*.

## tooks chambers

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Adam has extensive experience of acting at inquests for the family of the deceased at inquests. He provided legal advice for INQUEST's, and the Bar Council Working Group's, lobbying of Parliament in respect of the Coroners and Justice Bill. He is a member of the steering committee of Inquest Lawyers Group.

#### **Mental health, community care, Court of Protection**

Adam's mental health practice extends from public law to civil claims, the treatment of mentally disordered offenders, disability discrimination, mental health review tribunals, and Court of Protection work, including extended High Court cases. He gives seminars regularly, such as on the new Mental Health Act 2007 and deprivation of liberty cases.

#### **Discrimination and employment**

In Employment and discrimination law, Adam's practice includes extended discrimination, harassment and equal pay claims, appeals at the Employment Appeal Tribunal, and High Court breach of contract claims. He represented the claimants in the successful discrimination claims by Yasmin Rehman against the Metropolitan Police Service, and by Mr Reaney against the Bishop of Hereford.

### **Notable Cases**

- *R (Gill) v Secretary of State for Justice* [2010] EWHC 364 (Admin) Secretary of State unlawfully discriminated against the Claimant on grounds of his learning disability, and also breached public law, by failing to provide him with offending behaviour work. Adam acted for the Claimant inmate.
- *R (JF) v Secretary of State for Justice* Supreme Court, hearing: 3<sup>rd</sup> and 4<sup>th</sup> Feb 2010. Adam acted as junior for the Respondent, who argued that the absence of a right to a review for those subject to the sex offender registration requirements was contrary to article 8.
- *R v Rogers (Theresa Margaret)* [2009] EWCA Crim 2184. Adam represented the appellant. The Court of Appeal quashed her indeterminate sentence of Imprisonment for Public Protection, substituting a 3-year determinate sentence.
- *R (Roberts) v Secretary of State for Justice* [2009] EWHC 2321 (Admin) Adam represented the Claimant, who had been denied medical treatment. The Court upheld the claim that the Secretary of State acted unlawfully in failing to publish his policy.
- *R (Lewis & ors) v HM Coroner for Shropshire* [2009] EWHC 661 (Admin) [narrative verdicts at article 2 inquests, including successful challenge to coroner's decision to prevent jury from leaving a judgmental verdict and verdict of neglect]
- *R V Williams* [2009] EWCA Crim 355 [successful challenge to an IPP sentence]
- *R (on the application of D) v Inner South London Assistant Deputy Coroner* [2008] EWHC 3356 (Admin) [judicial review of coroner's direction to jury at the De Menezes inquest]
- *R (on the application of Cawley) v. Secretary of State for Justice* [2007] EWHC 2649 (Admin) [successful claim that the parole board breached article 5(4) ECHR]
- *McPherson 1/10* [critical narrative verdict and r43 reports for death following police restraint]
- *Calvert 11/09* [verdict of neglect at death in prison custody inquest]
- *Wheatley 4/09* [very critical narrative verdict at death in prison custody inquest]
- *Roberts 2/09* [neglect and highly critical narrative verdict at inquest into death of patient detained under s3 MHA 1983]
- *Reaney v Hereford Diocesan Board of Finance 2007* [successful sexual orientation discrimination claim against the Bishop of Hereford]

## Publications

- *Inquests – a Practitioner’s Guide*: LAG (2008) with Leslie Thomas and Danny Friedman
- *Recent developments in inquest law and practice*: a regular series in Legal Action
- *Judicial review forecasts in inquest law*: I.L.J. 3/09
- *Inquests and part 6 of the Counter-Terrorism Bill*: Legal Action (2008) May, 10-11
- *Challenging delay*: N.L.J. (2007) Vol. 157 No.7295, pp1528-1529
- *Inquest Verdicts and Article 2*: S.J. (2005) Vol.149 No.39, pp 1208-1209
- *Human Rights and the Inquest*: N.L.J. (2005) Vol.155 No.7173, pp 630-631

## What Others Say

*“Adam Straw already has a fine reputation as an intellectually sharp and level-headed advocate. His practice includes inquests, prisons, immigration detention, mental health, community care and public law.”*

*Chambers & Partners Directory 2010*

## Speaking Events and Training, Seminars

- *LAG inquest training – annual*
- *Judicial review in prison law* 11/09
- *Mental health and community care for prisoners* 11/09
- *Deprivation of Liberty and the Mental Health Act 2007*: 2/09
- *Children in detention*: 9/08

## Membership and Societies

- Member of steering committee of Inquest Lawyers Group
- Executive committee member of Association of Prison Lawyers
- Administrative Law Bar Association
- Mental Health Lawyers Association
- Human Rights Law Association
- Haldane Society

## Other Relevant Information

### **Experience**

- Tenant, Tooks Chambers, July 2006 to date
- Pupil, Garden Court chambers, in civil, public, and employment law.
- Rt Hon. Tessa Jowell MP. Caseworker, researcher and Parliamentary Assistant
- Amnesty International. Researcher in the Legal and International Operations Department