



# Adam Straw

Called 2004



**Winner of Young Legal Aid Barrister of the Year**

#### Directories:

Adam is recommended by Chambers and Partners in Civil Liberties and Human Rights, and Administrative and Public Law, which notes that he:

*"has a busy claimant-focused public law and human rights practice and is highly recommended for his inquest work. Sources say that he is "just amazing: he's accessible, genuinely loves the work and gets results."*

*"is coming up through the ranks and is praised for the quality of his inquests, police and prison claims work. One interviewee says of him: "I have never come across someone this bright at this level of call."*

*"is commended for his cutting-edge work"*

The Legal 500 notes Adam:

is *"phenomenal and seems to know everything"*.

*"has an 'impressive knowledge of inquest law' and produces 'novel and compelling arguments'."*

#### 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 and Strasbourg.

He focuses on cases involving inquests, prisons, police, mental health, children's rights, discrimination, immigration detention and community care. His public law practice extends to other areas, for example, 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. He is regularly involved in complex civil claims involving

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deaths or near-deaths. He is a contributing editor to 'Human Rights Practice', Simor, Sweet and Maxwell.

### **Criminal Justice System**

Adam represents Claimants in public law claims relating to all aspects of the criminal justice system, including the prison service, police, CPS and IPCC. He also undertakes parole hearings and civil claims for damages, and has been successful in a number of claims for mistreatment and human rights breaches in custody, such as by handcuffing prisoners during medical treatment.

### **Inquest law**

Adam represents the families of the deceased at all types of inquests and related litigation. He has acted in some of the most controversial recent cases, including those of Jean Charles de Menezes and Mark Duggan. He has a particular expertise in public law challenges, such as the important case of *R (Lewis) v. HM Coroner*. Adam also represents families at public inquiries, such as the pending inquiry into the police shooting of Azelle Rodney, and in public law challenges to failures to investigate near-deaths. He co-authored the book '*Inquests - a practitioner's guide*'. He provided legal advice for INQUEST's, and the Bar Council Working Group's, lobbying of Parliament in respect of the Coroners and Justice Act 2009, and is a member of the steering committee of Inquest Lawyers Group.

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

Adam acts in a wide range of community care and social welfare cases. He has successfully represented several organisations in challenges to government funding cuts, and similar decisions, such as by the UKBA to revoke a college's licence. His work includes the Children Acts, age assessments and challenges to refusals to fund or meet the care needs of individuals. He acts for all parties in Court of Protection cases.

### **Discrimination**

In 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.

### **Pending cases:**

- Inquest into the death of Mark Duggan, representing the family of Mr Duggan.
- *R (Zahali) v. Serco and SSHD*: representing the claimant in a challenge to policy on the use of force on immigration detainees.
- Inquiry into the death of Azelle Rodney, representing the family of Mr Rodney.
- *Da Silva v. United Kingdom*: ongoing Strasbourg challenge to the adequacy of United Kingdom laws on the prosecution of police shootings.
- *R (Chambers) v SSJ*: challenge to national prison policy on childcare resettlement leave, representing an inmate's children.
- *R (Dowsett) v SSJ*: representing a prisoner who argues that the Equality Act 2010 applies to prisons, and the national search policy is discriminatory.

- *R (Doherty) v Director of Public Prosecutions*: judicial review of decision to take over and discontinue a private prosecution of a police employee.
- *R (FFF) v. Stoke City Council*: acting for a group of care home providers in their challenge to the local authority's decision not to increase fees.

**Notable cases:**

- *R (JF) v Secretary of State for Justice* Supreme Court [2011] 1 AC 331: acted as junior for the 11 year-old Claimant, who successfully argued that the absence of a right to a review for those subject to the sex offender registration requirements was contrary to article 8.
- Inquest into the death of Raoul Moat: represented Mr Moat's brother.
- *R (AP) v HM Coroner for Worcestershire* [2011] EWHC 1453 (Admin): involving the scope of the article 2 duties for the police and local authorities to protect vulnerable and disabled people.
- *Geeta Ahir v Director of Public Prosecutions* [2011]: successful judicial review regarding CPS failure to prosecute, and unlawful disclosure of private information.
- *R (Fairer Fee Forum) v. Staffordshire County Council* [2011]: acted for a body representing care homes in Staffordshire in their challenge to the local authority's decision to fix fees.
- *R (Bell) v. Secretary of State for Justice* [2011]: challenge to prison service policy on pre-tariff parole reviews.
- *R (McLeish) v HM Coroner for North London* [2010] Inquest LR 202: represented mother of deceased in successful challenge to delay by coroner in disclosure of relevant information. Also considered application of article 8 to inquests.
- *R (Gill) v Secretary of State for Justice* [2010] 13 CCLR 193: 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 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): successfully represented the Claimant prisoner who sought medical treatment.
- *R (Lewis & ors) v HM Coroner for Shropshire* [2009] EWHC 661 (Admin): important case on 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 (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.
- *Reaney v Hereford Diocesan Board of Finance* 2007: successful sexual orientation discrimination claim against the Bishop of Hereford.

#### **Publications:**

- Contributing editor, Article 2 (Right to Life): J Simor (Ed), Human Rights Practice (Sweet and Maxwell and twice-yearly updates).
- *Inquests – a Practitioner’s Guide*: LAG (2008) with Leslie Thomas and Danny Friedman.
- *Judicial review of public funding cuts*: Legal Action, July 2011, with Hugh Southey QC.
- *Recent developments in inquest law and practice*: a regular series in Legal Action, with Leslie Thomas.
- *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 and Article 5*: 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

#### **Seminars:**

- LAG Social Welfare Law Conference *Judicial Review of Public Funding Cuts* July 2011
- *LAG inquest training* – annual
- *Death and civil claims for damages* 06/11
- *Judicial review as a mechanism for social justice* conference 12/10
- *Judicial review in prison law* 06/10; *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
- Administrative Law Bar Association
- Mental Health Lawyers Association
- Child Poverty Action Group
- Human Rights Law Association

**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