



D. Peter Herbert

1982

Qualifications

LL.B Law (Hons) 2.2 Leicester University

Areas of Practice

Civil Litigation

Actions against police
Employment Law & Discrimination
Judicial Review
Professional Negligence
Mental Health
Human Rights Law

Crime

All areas

Family

Childcare/Matrimonial for Parents, Guardians & Local Authorities

Notable Cases

Manchester Crown Court 1996
R. v Sattar & others.
Junior to Michael Shorrocks Q.C.

Family Division, February 1998
Re: Exprit/Imrie minors.

High Court - Liverpool District Registry June 1999 - Mr Justice Elias Q.C.
George Morris v Chief Constable Merseyside Police - Action against police.

Nottingham Crown Court - March/April 1997 - Mr Justice Douglas Browne
R. v Hamilton - Murder.

Birmingham Employment Tribunal - (June 1999 six weeks)
Marcia Lawrence v West Midlands Probation Service - discrimination.

London South Employment Tribunal (1998)
Neeta Amin v C.P.S.

London South Employment Tribunal (1999)
Marieh Bamieh v C.P.S.

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Precilla BENNETT v Essex County Council (2001).

Kamlesh Bahl v The Law Society, Watford Employment Tribunal (2001).

Inquest into the death of Errol McGowan, Telford Coroners Court (2001)

Reported Cases

R v Royston Ford (The Times), July 1989. Archbold re Jury Selection.

Gregory v United Kingdom (The Times) 27/2/97

Shane Ward v Chief Constable of the West Midlands Police (The Times) 6/2/98

R v Belaifa (The Times) 27/2/96.

Carl Joseph v West Midlands Police (Channel 4 News, ITN,BBC & Independent).

January 1999 Black motorist suffering racial harassment.

R v Marcus Walters & Francisco Borg The Butetown 2. (CCTV case of Police failure to deal with racial attack (Channel 4 News, BBC etc) April 1998.

Publications

31/7/95 New Law Journal - Racism, Impartiality & Juries.

Background

1984 to present - Executive Member & Chair, Society of Black Lawyers

1985/86 - School Governor, Cobbold Road Primary School

1986/99 - Bar Race Relations Committee

1989/90 - Consultant to the Home Office (1191 Criminal Justice Act)

1991/95 - Member of Judicial Studies Board

Ethnic Minorities Committee (E.M.A.C.)

1992/97 - Non-Executive Director of Ealing, Hammersmith & Hounslow Family Health Authority

1992/97 - Question Time Panellist with John Prescott & Nigel Lawson

1993/96 - Lay Visitor at the Harmondsworth Detention Centre

1996 to present - Part Time Immigration Adjudicator (Special)

1997 to present - Non-Executive Director of Ealing, Hammersmith & Hounslow Health Authority (E.H.H.)

1998 - Winner of the National Bar Association Human Rights Award (USA)

1998/99 - Legal Panel Member of the Ken Dixon Mental Health Inquiry

1998/99 - Chair of the Michael Donnelly Mental Health Inquiry

1999/2000 - Chair of the Anthony Joseph Inquiry

Personal

My professional practice has developed from a largely criminal and family base in the early 1980's into my present spread of work, which involves a wide range of common law experience. Since 1988 in particular I have developed an impressive human rights, childcare and heavy criminal practice. In addition I have maintained a growing employment discrimination practice. I have also pleaded a case in the European Court of Human Rights, Gregory v United Kingdom 1995.

I have been involved in many high profile cases, involving human rights issues in all areas of my practice and have over the years developed a

sound professional knowledge in the main areas of my work. I have been at the forefront of the challenges to the Judicial system in the United Kingdom gaining a personal acknowledgements for this work from both the former Lord Chancellor, Lord Mackay: the Deputy Assistant U.S. Attorney General, the Honourable Eric Holder, (December 1998), and from Lord Justice Glidewell, 1995.

I believe that I have established a reputation for robust advocacy, combined where necessary, with the ability to lead and cross-examine complex medical and expert evidence. My submissions, both written and oral have been skilfully presented to several House of Commons and Judicial Inquiries, namely the Home Affairs Select Committee on Racial Attacks, 1992; the Royal Commission into Criminal Justice 1994; and the Stephen Lawrence Inquiry 1998/9. My work within the Criminal Justice System, both as an advocate and with the Judicial Studies Board as a facilitator and developer of policy is well recognised.

I have always provided a wide range of pro-bono legal advice on a range of professional issues from Immigration to Education throughout my career, whilst assisting many students with advice and mentoring. I have acted with a marked degree of independence and moral courage in the conduct of my practice, highlighting issues of equality of treatment, which were, in many instances adopted as the benchmarks for the both advocates and the Judiciary. I have been complimented on my advocacy on many occasions for example by Mr Justice Otton, for my "tenacious arguments" in a successful application for leave in a Judicial review case.

My expertise as a member of the Ealing, Hammersmith, and Hounslow Health Authority has been supplemented by the three enquiries into Mental Health Homicides. I Chaired two of the inquiries and was the legal expert for the third, all of which provided extensive recommendations to improve the care and treatment of mentally ill persons.

In 2001 I was appointed to the Attorney General's Race Advisory Committee responsible for monitoring the Denman Report into racism in the Crown Prosecution Service. As Deputy Chair of the Metropolitan Police Authority I continued to play an important role in the policing agenda for London, taking a lead on stop and search issues and deaths in custody. I attended the Stockholm conference on racism and Xenophobia in Europe as part of the UK Governments delegation.

In my professional practice I successfully appeared for Kamlesh Bahl v The Law Society in the Employment Tribunal as junior Counsel. I also appeared on behalf of the McGowan family in the extensive Inquest into the tragic death of Errol McGowan in Telford Coroners Court. I currently sit part time hearing Immigration Asylum cases on a regular basis.