

Anne Studd KC

Call 1988

Silk 2012



clerks@5essex.co.uk



+44 (0)20 7410 2000

Anne Studd KC is ranked as a leading silk specialising in police law, public inquiries, inquests and public law.

Clients value her “charming style” and ability to “cut through the myriad of information and get to the heart of the issue in cases” (Chambers UK). Anne has excelled in all areas of police law over many years.

She is ranked in the legal directories in Police Law and Inquests and Inquiries.

Clients value her ability to deal with cases “end to end” from advising in the early stages where litigation may follow right up to and including the Appellate hearings. Her clear, careful, straight talking approach has made her popular with clients of CEO rank. Her tactful approach also enables clients to deal with difficult issues and minimise reputational damage.

She is a Recorder, Bencher of Gray’s Inn and vetted to SC level

Recent examples of high profile work:

- Civil claim from false imprisonment brought by Harvey Proctor against the Metropolitan Police arising from Operation Midland
- Civil claim for breach of confidentiality brought by Paul Gambaccini against the Metropolitan Police arising from Operation Yewtree.
- Police Overtime Litigation brought by undercover officers and handlers on behalf of a police force
- Grenfell Inquiry acting for the Mayor of London focussing on London resilience, rights and treatment of social housing by local authority and TMO
- Inquests into the Deaths of 10 Patients Treated by Paul Miller (Urologist) acting for the Health Authority
- Inquest into the Deaths at Ballymurphy (NI) acting for a soldier accused of killing one of the victims
- Sean Rigg acting for the IOPC in the misconduct proceedings against officers concerned in the care and treatment of Mr Rigg.
- Hillsborough civil claims acting on behalf of West Midlands Police
- UCPI Significant and sensitive crime strand for a police force
- IICSA Cambridge House, Knowl View And Rochdale on behalf of Greater Manchester Police
- And Westminster strand on behalf of CC of Wiltshire Police
- Hyde Park Bombing (Civil Claim)

Expertise

Police Law

Anne has experience of police law over many years both as a Junior and in Silk. She has worked for almost all 43 police forces. Her work has extended across the specialism from civil claims (jury and non jury) to inquests, policy, misconduct and public law.

She is valued for her sensitive and practical approach to the difficult issues which arise in policing and has a particular interest where there are additional issues of mental health, alleged discrimination and reputation.

Notable Police Law cases

Leading Counsel to a Force and officers in UCPI in a highly sensitive and confidential area.

Acting for the Appropriate Authority in the misconduct proceedings against Robyn Williams one of the UK's most senior black female police officers who was sacked for possessing an indecent image of a child. Both her criminal conviction and the misconduct finding is currently subject to appeal

Leading Counsel in the claim brought by Harvey Proctor a former MP who was arrested as a result of Operation Midland where the Met evidence relied upon the (later) discredited account provided by Carl Beech later convicted on multiple counts of perverting the course of justice.

Leading Counsel in breach of confidentiality claim brought by Paul Gambaccini the well-known disc jockey arising from disclosure of private information resulting in his identification by the media after his arrest as part of Operation Yewtree.

Policy advice for the Metropolitan Police in relation to the arrest of the German national Christian B suspected of abducting Madeleine McCann and the appropriate extent of release of information by the MET.

National Policy advice for British Transport Police regarding the use of the Mental Health Act to remove people at risk of taking their own lives on railway premises.

Civil claim brought by the family of Valerie Forde who together with her young daughter was killed by her partner and the child's father having made a report to the police about her concerns for her safety. Claims for breach of Article 2 and 3.

R (on the application of Chief Constable of Northumbria (Claimant) v Independent Office for Police Conduct (Defendant) & T Vickers 7 Others (Interested parties) [2019] EWHC 3169 (Admin) – IOPC review of decision making of a Silver Commander at a public order event for the purposes of bringing misconduct proceedings arising from the arrests.

Leading Counsel instructed by the IOPC in the misconduct proceedings arising from the death of Sean Rigg – abuse of process due to 10 year delay between death and proceedings

Leading Counsel instructed in relation to misconduct proceedings brought against a number of officers who had contact with Bijan Ebrahemi. Officer and police staff of differing ranks had had contact over a prolonged period. Mr Ebrahemi complained to police that his neighbours were harassing and victimising him over very many months. The community officers did not take the allegations seriously or offer appropriate protection for him. Mr Ebrahemi died as a result of a vigilante attack in the aftermath of his wrongful arrest allowing the two members of the community who had previously been harassing him without appropriate measures being in place to assume he was a paedophile.

Inquests

Anne is a highly experienced Silk with extensive expertise in Inquest matters involving police investigations and operations including firearm operations, health and safety and healthcare. She was Leading Counsel heading the team for SASH in 10 conjoined Article 2 Inquests involving alleged negligent treatment by a Consultant Urologist and represented St John Ambulance in the Inquest into 96 deaths at Hillsborough. She also has a special interest in police and mental health and has been instructed in very many of the cases involving restraint and shooting deaths: Ricky Bishop, Terry Nicholas, Mark Nunes, Azelle Rodney, Kingsley Burrell, Mark Duggan.

Anne is regularly instructed in high-profile inquests where her 'lovely manner', 'meticulous preparations', 'sense of calm' and 'lovely style' are noted by clients (Legal 500, Chambers UK).

Notable Inquests cases

Inquests into 10 patients treated by Paul Miller Leading Counsel for SASH

Difficult preliminary issues involving Coroner who was ultimately and reluctantly required to recuse herself. Article 2 issues relating to whistleblowing and Trusts response to complaints as well as medical causation both as to urological and oncological factors. made

Inquest into the Deaths at Ballymurphy (NI) acting for soldier who was accused by the family of being responsible for the death but in fact was not responsible.

Aston Mclean Williams young BAME man run over by a police vehicle while officers were trying to apprehend him.

The inquests into the death of 96 at Hillsborough

Instructed by St John Ambulance examined the emergency response and the training of the volunteers.

The inquest into the death of Luisa Mendes

Considered the issue of response times in relation to a 999 call received by the control room from a lady alleging injury and whether the failure/delay in response caused or contributed to her death.

Kingsley Burrell inquest

Examination of care provided by police and ambulance service to a highly agitated man suffering from psychosis. The inquest considered the various factors that contributed to his death including actions by members of the police and ambulance service.

Public Inquiries

Anne is ranked as a leading silk in public inquiries, inquests, public law and police law. Clients value her "charming style" and ability to "cut through the myriad of information and get to the heart of the issue in cases" (Chambers UK). Anne has excelled in all areas of police law over many years.

She is ranked in the legal directories in Inquests and Inquiries, Police law and Professional Misconduct.

She led for the MPS in the Azelle Rodney Inquiry, St John's Ambulance in Hillsborough, GMP in IICSA – Cambridge House Knowl View and Rochdale and Westminster and for Wiltshire Police the Westminster strand. She is instructed by Sadiq Khan in the Grenfell Fire Inquiry and currently retained in UCPI for the crime strand and significant civil litigation evolving from it. She has also been involved in the legacy inquests in Northern Ireland.

She has a wealth of experience in public inquiries and high profile inquests including for the MPS in the inquest into the death of John Charles de Menezes, the Chandlers Ford Police Shooting inquest and for the Surrey and Sussex Healthcare NHS Trust into the deaths of 10 patients treated by a single consultant Urologist.

‘Clear as crystal, faultless and measured in her advice and advocacy but, most importantly, Anne cares about what is best for the client.’ Legal 500 2021

“She comes across as very intelligent and committed.” Chambers 2021

“She has shown incredible insight and good tactical prowess.” Chambers 2021

“Very industrious and decisive.” Chambers UK 2020

“Has the ability to quickly grasp and understand complex issues and provide timely and comprehensive advice. She also has an excellent courtroom manner.” Chambers UK 2020

‘She has a lovely manner, is very popular with clients and great to work with.’ Legal 500 2020

‘A formidable opponent, with a steely centre and a commanding court presence.’ Legal 500 2020

Clients value her ability to deal with cases “end to end” from advising in the early stages where litigation may follow right up to and including the Appellate hearings. Her clear, careful, straight talking approach has made her popular with clients of CEO rank. Her tactful approach also enables clients to deal with difficult issues and minimise reputational damage.

She is a Recorder, Bencher of Gray’s Inn and vetted to SC level

Public & Administrative

Anne has wide ranging experience in relation to claims in the Administrative Court and the Court of Appeal.

Notable Public & Administrative cases

R (on the application of P) v (1) Secretary of State for the Home Department (2) Secretary of State for Justice : R (on the application of G) v (1) Secretary of State for the Home Department (2) Secretary of State for Justice (3) Chief Constable of Surrey : R (on the application of W) v (1) Secretary of State for the Home Department (2) Secretary of State for Justice : Magdalena Kroll (Claimant) v Commissioner of Police of the Metropolis (Respondent) & Secretary of State for the Home Department (Intervener) (2017) [2017] EWCA Civ 321 [2017] 2 Cr App R 12

A further challenge to the disclosure and barring procedure introduced under the Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013. The challenge to the Secretary of State is being considered by the Supreme Court.

R (on the application of Darren Williams) (Claimant) v Police Appeals Tribunal (Defendant) & Commissioner of Police of the Metropolis (Interested party) [2016] EWHC 2708 [2016] ACD 138 [2017] ICR 235

The principle that personal mitigation carried diminished weight in cases of misconduct by a police officer applied to all forms of misconduct, not just dishonesty or a lack of integrity.

R (on the application of G) v (1) Chief Constable of Surrey Police (2) Secretary of State for the Home Department (3) Secretary of State for Justice [2016] EWHC 295 (Admin) [2016] 4 WLR 94

The statutory regime that required disclosure of historic reprimands to potential employers seeking enhanced disclosure was, in the absence of procedural safeguards to assess relevance and proportionality, incompatible with ECHR art.8.

R (on the application of Revenue & Customs Commissioners) (Claimant) v HM Coroner for the City of Liverpool (Defendant) & (1) The Estate of Roderick Carmichael, deceased (Interested Party) (2) Association of Personal Injury Lawyers (Interveners) [2014] EWHC 1586 (Admin)

The Coroners and Justice Act 2009 Sch.5 bound the Crown by necessary implication. It followed that the Revenue was bound to comply with notices issued under that schedule by a coroner requiring details of the occupational history of an individual for the purpose of an investigation into his death.

E7 (An officer of the Metropolitan Police Service) (Claimant) v Sir Christopher Holland (In his capacity as chairman of the Azelle Rodney Inquiry) (Defendant) & (1) Commissioner of Police of the Metropolis (2) Susan Alexander (3) Independent Police Complaints Commission (4) Revenue & Customs Commissioners (Interested Parties) [2014] EWHC 452 (Admin)

Human Rights

Inevitably very many claims have Convention elements to them but increasingly claims are brought only under the Act. Anne has dealt with these issues on numerous occasions since the Convention rights were “brought home” and has assisted in resisting claims and advising on the level of compensation to be awarded under section 41.

Notable Human Rights cases

Civil claim under Article 2 brought by family of Kingsley Burrell who died after restraint in a mental health setting. Significant and complex issue of whether the police or NHS Trust were responsible for the breach of Article 2 that caused the death.

Civil claim brought by the family of Valerie Forde who together with her young daughter was killed by her partner and the child’s father having made a report to the police about her concerns for her safety. Claims for breach of Article 2 and 3.

She is instructed in the Judicial Review arising from the use of a spit guard on a young woman with learning difficulties and generally in relation to the legality of spit guard for the purposes of restraint.

Professional Discipline & Regulatory

Anne has had extensive experience in the regulatory field over very many years both as a Junior and in Silk. She also sat of the Bar Professional Conduct Committee for 10 years and has chaired appeals against gross misconduct findings. She is very familiar with how the professional conduct regime transfers from one profession or discipline to another.

Anne has also trained independent panel members authorised to sit in misconduct hearings.

Notable Professional Discipline & Regulatory cases

Disciplinary hearing brought against officers concerned in the arrest of Sean Rigg instructed by the IOPC -substantial abuse of process argument based on the 10 1/2 year delay since the incident and largely laid at the door of the IOPC.

Disciplinary proceedings brought against officers who had contact with Bijan Ebrahemi – Mr Ebrahemi died as a result of a vigilante attack as a result of being wrongly suspected as a paedophile. He had called the police to assist but a number of officers on a number of occasions had failed to provide him with adequate protection. Eighteen members of Avon and Somerset personnel were subject to investigation (both police staff and police officers) by the IPCC and then disciplinary proceedings brought by Avon and Somerset. Different officers were dealt with at different levels of the disciplinary process. Important issues relating to press reporting, hearing in public, what information could be made public at particular stages so as not to prejudice ongoing proceedings.

DC H

Serious allegations of sexual misconduct by a serving officer on his adult niece whilst on holiday. Allegations equated to rape but could not be prosecuted due to jurisdictional issues. Article 8 issues for family of complainant and officer considered in relation to the issue of whether the hearing should be heard in public. Sensitive issues arising from family breakdown by reason of the allegation.

R (on the application of Darren Williams) (Claimant) v Police Appeals Tribunal (Defendant) & Commissioner of Police of the Metropolis (Interested party) [2016] EWHC 2708 (Admin)

The principle that personal mitigation carried diminished weight in cases of misconduct by a police officer applied to all forms of misconduct, not just dishonesty or a lack of integrity.

Information Law

Anne has had considerable involvement in cases concerning different aspects of Information law and data management. She has appeared in the IPT in relation to challenges brought against the police. She has also advised on information that can and cannot be retained or disclosed for the purposes of enhanced certificates, MOPI, appointments of special advocates and closed proceedings, PII, information provided for the purposes of warrant applications, intelligence material, CHIS' and RIPA material.

Notable Information Law cases

A v B

Public family law proceedings involving mother at risk of honour based violence. Instructed to deal with issues arising from information held by the police and how that could safely dealt with within the Wardship proceedings. Complex issues of disclosure and security of the mother. Appointment of special advocate for father. Open and closed judgment. Decision to remove child from father covertly. Submissions in closed session in relation to child's Article 8 rights in relation to that judicial decision.

R on the application of D v Chief Constable of South Wales Police

Application for judicial review of a vetting decision made on the basis of information wrongly retained.

The Undercover Police Inquiry

Significant issues in relation to the disclosure and use of information arising from undercover police enquiries over many years involving individual officers.

Personal Injury

As a Junior, Anne undertook a very large number of personal injury claims including catastrophic brain damage. Her civil claims often involve a personal injury element Currently Leading Counsel in the personal injury action arising from the Hyde Park Bombing in 1982.

She is familiar with and experienced in dealing with complex issues of causation including medical causation.

Healthcare

Anne has wide-ranging experience in healthcare – early in her career she dealt with numerous cases relating to injuries and failure to properly treat in prison and she is now regularly instructed in healthcare inquests and Public Inquiries that deal with healthcare issues.

She was Leading Counsel heading the team for SASH in 10 conjoined Article 2 Inquests involving alleged negligent treatment by a Consultant Urologist and she represented St John Ambulance in the Inquest into 96 deaths at Hillsborough.

She is familiar with and experienced in dealing with complex issues of causation including medical causation.

Anne has a particular interest in mental health and capacity law. She also has extensive experience in Personal Injury and is currently instructed as Leading Counsel in the Hyde Park Bombing civil claim.

Notable Healthcare cases

Inquests into 10 patients treated by Paul Miller (Leading Counsel for SASH)

Paul Miller was a leading urologist who 'gross failure to provide basic medical attention' led to the deaths of 10 of his cancer patients. The case involved difficult preliminary issues involving a Coroner who was ultimately and reluctantly required to recuse herself. It also involved Article 2 issues relating to whistleblowing and the Trusts response to complaints, as well as medical causation – both urological and oncological factors.

Civil claim under Article 2 brought by family of Kingsley Burrell who died after restraint in a mental health setting – Significant and complex issue of whether the police or NHS Trust were responsible for the breach of Article 2 that caused the death.

The inquests into the death of 96 at Hillsborough

Instructed by St John Ambulance examined the emergency response and the training of the volunteers.

The inquest into the death of Luisa Mendes

Considered the issue of response times in relation to a 999 call received by the control room from a mentally vulnerable woman alleging injury and whether the failure/delay in response caused or contributed to her death.

Kingsley Burrell inquest

Examination of care provided by police and ambulance service to a highly agitated man suffering from psychosis. The inquest considered the various factors that contributed to his death including actions by members of the police and ambulance service.

Mental Health and Capacity

Anne has a keen interest and accepts instructions in mental health and capacity law.

Anne also provided training to the police and private prison estate on vulnerable offenders and claims and issues arising from mental capacity, learning difficulties and mental ill health.

Notable Mental Health and Capacity cases

ZH v Commissioner of Police [2013] EWCA Civ 69, [2013] MHLO 9

an autistic boy who jumped into a swimming pool as result of being approached and touched by a police officer. The Court of Appeal considered the powers under the Mental Capacity Act 2005.

Inquest and civil claim under Article 2 brought by family of Kingsley Burrell who died after restraint in a mental health setting. Considered the treatment of Mr Burrell who had been sectioned and was to be moved by police to a more secure setting. The Inquest considered his treatment in the course of his detention and whether race had had any influence on the decision making of the police and health professionals.

The Inquest into the death of Tarryn Baird, a young woman suffering from mental illness who killed herself by hanging possibly as a result of a failure of the relevant agencies to take appropriate action in relation to her care.

She is also currently instructed to advise BT police and the Home Office in relation to the detention powers under the Mental Health Act to minimise the risk of suicide on

railway premises.

Covid-19 Public Inquiry Hub

Anne is regularly instructed to represent core participants in the most high profile, complex and sensitive public inquiries. She is ranked as a leading silk for public inquiries in the major directories. She is currently instructed in the Grenfell Tower Inquiry on behalf of the Mayor of London and Under Cover policing in respect of one of the crime strands involving issues of the utmost sensitivity. She was also instructed as Leading Council for two police forces in the Independent Child Sexual Abuse Inquiry covering a number of strands and as Leading Counsel for MPS in the Azelle Rodney Inquiry.

She has represented a Healthcare Trust in investigations into the deaths of a number of patients treated by a single consultant and has involvement in the legacy investigations in Northern Ireland. She was also brought in latterly to advise Senior Retired Officers in respect of the Daniel Morgan Inquiry.

Her experience covers a wide range of areas and clients. She has recently been asked for generic preparatory advice for solicitors to pass on to their private clients in anticipation of involvement in the Covid-19 Inquiry.

Education & Qualifications

- 2012 – Appointed Queen’s Counsel
- 1995 – Called to the Bar by Gray’s Inn
- 1986 – London University, BA (Hons) History

Appointments

- 2016 – Bencher of Gray’s Inn
- 2007 – Recorder of the South Eastern Circuit

Recommendations

- “Good knowledge of police practice and undaunted in expressing her views. Anne will always provide the best advice, in a very concise manner.”
Chambers UK 2023
- ‘Anne is very experienced and able to deal confidently with the most senior police officers. Very concise and incisive in her advice.’
Legal 500 2023
- “She is a powerful advocate. She has a real authority with courts, inquests and disciplinary panels.” (Police Law)
Chambers UK 2022
- “Secure and determined. Good with clients and very incisive in her judgement and tactics.” (Police Law)
Chambers UK 2022
- “Favoured by clients for her skill in getting straight to the heart of the issue, however voluminous the material which she is presented with.” (Professional Discipline)
Chambers UK 2022
- “She has an incisive ability to deal with large amounts of documents and handle complex and intense matters. She is also good with clients.” (Inquests & Public Inquiries)
Chambers UK 2022
- “She is supremely impressive and authoritative.” (Inquests & Public Inquiries)
Chambers UK 2022
- “Very incisive in terms of assessing documentation. Able to handle vast amounts of material – often dealing with historical situations going back many years

where the ability to place oneself in the mindset of the era is important; and Anne has shown herself adept at dealing with this issue as well as being up to date on case presentation and the mindset of the courts.” (Inquest and Inquiries)

Legal 500 2022

- “Anne has an exceptional amount of experience and is able to perform well at any level of court or tribunal, also a very confident in dealing with Chief Constables and other senior officers.” (Police Law – Defendant)
Legal 500 2022
- “She comes across as very intelligent and committed.” (Police Law)
Chambers UK 2021
- “She has shown incredible insight and good tactical prowess.” (Police Law)
Chambers UK 2021
- “Particularly insightful and brings years of experience of tactics in police cases. Very assertive and assured.” (Inquests and Inquiries)
Chambers UK 2021
- “Clear as crystal, faultless and measured in her advice and advocacy but, most importantly, Anne cares about what is best for the client.”
Legal 500 2021
- “She has the ability to quickly grasp and understand complex issues and provide timely and comprehensive advice. She also has an excellent court room manner.” (Inquests and Public Inquiries)
Chambers UK 2020
- “She has a lovely manner, is very popular with clients and great to work with.” (Inquests and Public Inquiries)
Legal 500 2020
- “Very forceful, a very good communicator and very good with clients. If you want someone for a tough fight, she is very robust.” (Police Law)
Chambers UK 2019
- “She is hugely experienced and meticulous in her preparations, and exudes a sense of calm.” (Police Law)
Chambers UK 2019
- “She’s hugely experienced, meticulous in her preparations and exudes a sense of calm which is hugely important.” (Inquests and Public Inquiries)
Chambers UK 2019
- “She represents police forces in inquiries on top of arrest warrant work.” (Police Law – Defendant)
Legal 500 2019
- “She has a really charming style.” (Police Law)
Chambers UK 2018
- “She is very decisive and steadfast.” (Police Law)
Chambers UK 2018
- “She is very experienced, bright and decisive: clients feel well supported when instructing her” (Police Law – Defendant)
Legal 500 2017
- “She has a great bedside manner and is down-to-earth and sensible.” (Police Law)
Chambers UK 2017
- “She is very decisive and steadfast.” (Police Law)
Chambers UK 2017
- “She is able to cut through the myriad of information and get to the heart of the issue in cases.” (Police Law)
Chambers UK 2017
- “She is very decisive and intellectually very bright.” (Police Law)
Chambers UK 2016
- “Her advocacy was inspiring. She knows her stuff.” (Police Law)
Chambers UK 2016
- “She is very decisive and intellectually very bright.” (Police Law)
Chambers UK 2015

Awards

