

Claire Palmer

Call 2003



clerks@5essex.co.uk



+44 (0)20 7410 2000

Claire specialises in public /administrative, inquests, inquiries, civil and employment claims, data protection and investigations.

She is regularly instructed by Government departments and public bodies in inquests and public inquiries and has significant experience across a broad range of civil cases for public and private clients.

Claire is considered to be “*personable and engaging as well as excellent with clients*”. She is rated by clients as a barrister who is “*tactically very astute*” and for representing “*the best of barrister qualities – she’s clear and articulate about the big picture, but in preparation her attention to detail is excellent*”. Claire is ranked as a Leading Junior in both Legal 500 and Chambers UK for both Police Law (Defendant) and Inquest and Inquiries.

Current instructions include:

- Senior junior counsel for NHS England for the COVID-19 Inquiry
- Part of the CTI team in the Independent Inquiry relating to Afghanistan CTI
- Rhianan Rudd Inquest (for the Chief Constable of Derbyshire Police)
- Ashley Walsh Inquest (HMPPS)

as well as in a number of misfeasance and malicious prosecution claims (HMRC and various police forces), vetting cases, advising Government departments in respect of substantive policy reviews, and defending judicial reviews.

Previous high profile instructions include Anthony Grainger Inquiry, Jermaine Baker Inquiry, Undercover Policing Inquiry, Post Office Inquiry, the Angela Best and Sobhia Khan Inquests.

She frequently represents the Government in relation to cases with a national security element and has particular experience of the issues that arise in such cases. She appears for individuals and private bodies particularly in fact-sensitive or high-profile whistleblowing and discrimination claims.

Claire was appointed to the Attorney-General’s A Panel of Junior Counsel in 2019 (and reappointed in 2024) and has over 15 years’ experience as a barrister in Government cases.

Claire practised for nine years at a common law chambers before joining 5 Essex Court in 2014. In her early years of practice, Claire appeared regularly in criminal cases and was on the CPS Prosecution list.

Claire is a Liveryman in the Worshipful Company of Security Professionals, and a former Chair of the WCOSP Charitable Trust. She was a member of the London Board of Crimestoppers working alongside the Metropolitan Police and chaired her local Police SNT Ward Panel for 10 years. She is a Bencher and Advocacy Tutor Trainer at Lincoln’s Inn.

In May 2020, Claire was appointed a Deputy District Judge (Civil) on the South Eastern Circuit.

Expertise

Police Law

Claire is regularly instructed by Police forces in a variety of employment claims, inquests, judicial reviews and general civil claims. Claire has also been instructed in inquiries involving the police. In 2017 she was instructed in the Grainger Inquiry (on behalf of the IPCC as it then was) which considered issues relating to the use of firearms, surveillance and intelligence gathering as well as the post incident procedures. The report was published in July 2019.

From 2017 to 2022, she was instructed as a senior junior on the Undercover Policing Inquiry for the Designated Lawyers team on behalf of over 100 former SDS officers, cover officers and managers.

In 2019 she appeared for Thames Valley Police in a 3-week Inquest into the death of Leroy Medford who had concealed drugs on his person when arrested, and subsequently swallowed the drugs whilst in police custody. Recent instructions include the Leighton Jones inquest for South Wales Police and the Rhiannan Rudd inquest for CTP-EM and CTPHQ.

Claire has an excellent grasp of the issues facing police forces, from a practical and working perspective as well as experience of the legal issues. Her parents are both former police officers, she chaired her local Ward Panel Safer Neighbourhood Team for over 10 years, and was previously a member of the London Board of Crimestoppers. Combined with Claire's previous experience as a criminal advocate (both prosecuting and defending) in the early stage of her career, she understands the particular challenges currently facing police forces and police officers. Claire's clients comment favourably on her "down to earth approach" and ability to win the trust of police clients at all levels.

Claire has built upon her experience acting for Government departments defending claims brought by ex- employees and prisoners for negligence, interference with property rights, personal injury, harassment, misfeasance in public office and breaches of human rights. As a member of the Attorney-General's Panel, Claire is regularly instructed by the Crown Prosecution Service co-defending with police forces in claims for malicious prosecution, of misfeasance in public office, Zenati claims, modern slavery claims, and those relating to the misuse of information and connected claims. She undertook a number of claims arising out of Operation Elvedon in respect of the misuse of private information and breach of confidence claims. Claire was instructed by the Defendant in Rudall v CPS, a 2 week High Court trial heard in the High Court sitting at Cardiff, and successfully defended allegations of malicious prosecution brought against it.

Claire has an excellent knowledge of the specific issues affecting police forces in the Employment Tribunals particularly discrimination claims, claims arising from attachments to other organisations and forces, whistleblowing and vetting. Recent employment cases include a sensitive sex discrimination claim for one police force which was successfully settled on favourable terms, as well as a number of cases arising from adverse vetting decisions. She is regularly instructed in cases with sensitivities and has considerable experience of rule 94 and rule 50 Orders. Claire also has experience of Equality Act claims in the County and High Court and has advised on equality impact assessments on behalf of the MOJ and MOD.

Claire also undertakes advisory work for Police forces and Police and Crime Commissioners. She has advised on topics including the legality of electronic warrants introduced during COVID, the availability of police allowances, arrests in the context of protests, s.59 applications, vetting decisions and processes, and in respect of actual and threatened judicial review proceedings.

Claire is ranked as a Leading Junior by both Chambers and Partners and Legal 500 for Police Law (Defendant). She is described as providing "*early, clear case strategy based on case merits and wider issues of concern to the police client, such as maintaining public confidence in the service. Claire builds excellent rapport with senior officers, engendering their full confidence.*"

Inquests

Claire is regularly instructed in inquests with particular experience of dealing with deaths in or on release from custody (including police and prison custody and immigration detention) and after contact with police. She has an excellent relationship with clients who comment favourably on her pragmatic and straightforward approach to the process. Claire is also instructed in a number of civil claims arising out of cases connected to inquests.

Claire's experience in inquests regularly includes the involvement of healthcare providers both within custody and in the community, evidence from healthcare experts, and consideration of the issue of neglect. Her experience of disability discrimination cases in the Employment Tribunal and civil courts is valuable in addressing cases involving issues relating to mental health. She is a member of the Faculty of Forensic and Legal Medicine.

Claire is ranked as a Leading Junior by both Legal 500 and Chambers and Partners for inquests and is described as "*a robust and respected advocate who effectively challenges the status quo and achieves positions which are favourable for her client*", "*very strong on witness support*" and "*brings judgment and balance to her matters*".

Claire's employment experience has been particularly invaluable in cases where the (deceased) individuals were employed by state agencies.

Notable Inquests cases

Instructed by HMPPS in respect of the inquest into the death of Ashley Walsh (Manchester Coroners Court).

Instructed by Counter Terrorism Police East Midlands (and CTP HQ) in respect of the death of Rhiannan Rudd, a 15 year old who was investigated and prosecuted for terrorism offences which were ultimately discontinued, and was a looked after child at the time of her death.

Instructed by South Wales Police in respect of the death of Leighton Jones (Pontypridd Coroners Court).

Counsel for the Ministry of Justice (Mental Health Casework Section) in relation to murders committed by restricted patients in the community (Sobhia Khan and Angela Best).

Instructed by Thames Valley Police force in respect of a death in police custody of Leroy Medford relating to the care of a detainee who had plugged and then subsequently swallowed drugs including consideration of intimate searches, interaction with hospital care including viability of CT scans, and the implementation of the drugs SOP;

Inquest for the Ministry of Justice in relation to a prisoner who confessed to the murder he had previously denied in the face of a high-profile innocence campaign and consideration of personality disorder;

Three-week inquest for the MOJ relating to a death in custody involving complex mental health issues;

Inquest for GCHQ in respect of the death of one of their employees.

Public Inquiries

Claire is currently instructed as the senior junior for NHS England for the COVID-19 Inquiry (particularly focussed on Module 3 – healthcare – and Module 4 – vaccines) and part of the CTI team for the Independent Inquiry relating to Afghanistan CTI team chaired by Lord Justice Charles Haddon-Cave.

Claire has previously been instructed by the IPCC (now the IPOC) in the public inquiry into the death of Anthony Grainger. The Inquiry heard evidence over a 3-month period in 2017 and the report was published in July 2019.

From August 2017 until early 2022, Claire was instructed as senior junior counsel to the Designated Lawyers team representing a significant number of former Special Demonstration Squad officers in the Undercover Policing Inquiry. Claire worked as part of a team of 10 barristers (led by a silk) and liaising with other core participants in the UCPI and the Inquiry itself. Claire was involved in all aspects of the UCPI relating to her clients including the restrictions order process (anonymity) and consequential redactions, rule 9 statements, and applications for special measures including appearing at hearings before the Chairman and liaising with clients, interested parties and the Inquiry.

Claire also has experience of inspections under the Local Government Act 1999 having advised in respect of the Inspection into Avon Fire and Rescue Authority in 2017.

Claire is ranked as a Leading Junior by both Legal 500 and Chambers and Partners for Inquiries and is described as “*a robust and respected advocate who effectively challenges the status quo and achieves positions which are favourable for her client*”, “*very strong on witness support*” and “*brings judgment and balance to her matters*”.

Investigations

Claire has considerable experience advising on investigations within the workplace. This includes in the context of litigation that has already commenced where grievance or disciplinary investigations and appeals are ongoing, as well as advising employers and employees involved in such processes before, and hopefully avoiding, litigation.

Recent advice given includes:

- Advising a listed company on connected grievance and disciplinary investigations arising from a work event.
- Advising HMPPS in respect of their review into their policies and procedures particularly in the area of bullying harassment and discrimination, drafting the Terms of Reference, and advising on the approach to be adopted which included the appointment of Leading Counsel to conduct the review.

As an inquiry and inquest practitioner, Claire has considerable experience of advising clients, including as Counsel to the Inquiry, on investigations in that context. This includes advising on process and procedure, managing sensitivities and confidentiality requirements, and managing the expectations of others involved in the process.

Claire has sat as a Deputy District Judge for four years and has considerable experience of managing applications, trials, and reaching decisions on matters that are legally and/or factually complex as well as many cases involving litigants in person or litigants who are emotionally invested.

Accordingly, Claire is well placed to either advise on or conduct investigations. Claire also has experience of inspections under the Local Government Act 1999 having advised in respect of the Inspection into Avon Fire and Rescue Authority.

Public & Administrative

Claire undertakes judicial reviews in wide range of forums including the High Court, but also has considerable experience of the Special Immigration Appeals Commission (SIAC) and in the Sovereign Base Area Cyprus. Recent cases include representing the Service Complaints Ombudsman in judicial reviews relating to the Armed Forces, advising the Metropolitan Police in relation to a threatened judicial review relating to a former undercover officer and the payment of sick pay, representing the MOJ in a judicial review against the refusal to transfer a prisoner to open conditions which included a policy challenge.

As well as appearing as an advocate, Claire has been involved in a number of cases in an advisory capacity and has successfully defended and avoided claims on receipt of a letter before claim, and at the permission stage. She has advised the Secretary of State for Education in respect of an application for interim relief in the context of a decision to suspend the course designation of a Higher Education college ultimately leading to the application being withdrawn. Claire represented the DWP in relation to a challenge to the Universal Credit Regulations and an allegation that they are discriminatory and / or unlawful in relation to the housing allowance calculation, as well as in respect of challenges linked to domestic abuse.

In the SBA, Claire has acted for the SBA Police force and the Administration in respect of challenges to the local Police Discipline Regulations as well as in other civil and employment claims. The SBA is governed by Ordinances passed by the local administration but subject to UK common law. One case was appealed to the Privy Council, in which Claire drafted written submissions and the appeal was rejected.

In SIAC, Claire is regularly instructed by the Home Office in respect of challenges to naturalisation and exclusion to the UK. SIAC applies the same JR principles as the High Court but combined with a closed material procedure in relation to any relevant closed material.

Human Rights

Claire is regularly instructed in respect of claims for the Government and police where issues relating to human rights arise.

Most notably, this includes inquests and other consequential claims arising out of deaths in police and prison custody, and inquiries. Other recent cases include claims relating to the disclosure and retention of records by police forces, article 4 (modern slavery) claims against the Police or CPS, article 5 (Zenati) claims, and civil damages claims brought against HMG including relating to alleged conduct of HMG abroad. Claire is also regularly instructed in judicial reviews involving human rights challenges.

Claire has considerable experience dealing with cases involving a national security element including closed material procedures, and other procedures (including PII, private hearings and the anonymity and protection of witnesses).

Information Law

Claire acts for a wide range of clients, including central government departments and police forces, on a variety of data protection issues arising from the GDPR, DPA and FOIA, including privacy, breach of confidence and misuse of private information claims, which often also engage Article 8.

Professional Discipline & Regulatory

Claire has significant experience of advising in respect of disciplinary proceedings in an employment context from both the employee and employer position and has a good knowledge of police misconduct procedures. She has experience of judicial review proceedings in the Sovereign Base Area in Cyprus relating to the relevant police misconduct procedures and their application.

Claire was instructed on a direct access basis to defend proceedings brought by the BSB in a prosecution of a barrister for an offence of dishonesty. The case involved issues of disability and mental health and which culminated in the BSB offering no evidence after a Directions Hearing. The BSB were ordered to pay a costs award to the barrister in excess of £9,000. Claire has also acted on a pro bono basis in a COIC hearing representing a student facing allegations of cheating.

Healthcare

Claire is regularly instructed in cases within the health sector including inquests, civil claims and employment cases. She is a member of the Faculty of Forensic and Legal Medicine.

Claire is instructed by NHS England in the COVID-19 Inquiry with a particular focus on Module 3 (healthcare) and Module 4 (vaccines).

Claire's experience in inquests regularly includes the involvement of healthcare providers both within custody and in the community, evidence from healthcare experts, restricted patients and the Mental Health Act and consideration of the issue of neglect. Her experience of disability discrimination cases in the Employment Tribunal and civil courts is valuable in addressing cases involving issues relating to mental health.

High profile claims include:

- Claire was instructed by GLD for the Ministry of Justice (Mental Health Casework Section) in relation to murders committed by restricted patients in the community (Sobhia Khan and Angela Best).
- Instructed by Thames Valley Police force in respect of a death in police custody of Leroy Medford relating to the care of a detainee who had plugged and then subsequently swallowed drugs including consideration of intimate searches, interaction with hospital care including viability of CT scans and the consideration of the issue of neglect.
- Three-week inquest for the MOJ relating to a death in custody involving complex mental health issues;
- Instructed by Counter Terrorism Police East Midlands (and CTP HQ) in respect of the death of Rhiannan Rudd, a 15 year old subsequently diagnosed with autism, who was investigated and prosecuted for terrorism offences which were ultimately discontinued, and was a looked after child at the time of her death and engaging with CAMHS.

Claire regularly deals with disability discrimination cases in the employment tribunal particularly in relation to the complex issues of mental health, but also in respect of physical health conditions. She is regularly instructed in whistleblowing cases on behalf of individual healthcare practitioners, as well as for Public Health England and the Medicine and Healthcare products Regulatory Agency. She has recently been instructed in a claim relating to doctor in a whistleblowing case related to breach of GMC guidelines and standard of patient care.

Claire has significant experience of advising in respect of disciplinary proceedings both in an employment context and in regulatory proceedings brought against barristers, and vetting procedures within the security sector. Claire is a member of the Association of Regulatory and Disciplinary Lawyers.

Employment

Claire has a wide experience of drafting and advocacy in employment matters including advising on disciplinary and grievance investigations and processes. She has appeared as an advocate in the County Court, High Court, Employment Tribunals and EAT.

Claire undertakes both Claimant and Respondent work in the Employment Tribunal, ranging from small family employers to large Government organisations (including

police forces). Her practice covers all areas of employment law, and she accepts instructions in Tribunals across the country. Since her appointment to the Attorney General's Panel, she has represented many Government departments including Her Majesty's Prison and Probation Service, the Ministry of Justice, the Department of Health, the Home Office, GCHQ and the Ministry of Defence. Since 2014, she has been regularly instructed by several police forces including Kent, Thames Valley, West Midlands as well as the National Crime Agency. She also represents individuals (both on a direct access basis and instructed by solicitors) as well as a range of Respondents including Pension Bee, Channel 4 and Ladbrokes.

Claire is regularly instructed in fact-sensitive discrimination and whistleblowing complaints and has considerable experience of disability discrimination claims. She has a strong record of striking out claims at the earliest opportunity, obtaining costs orders in unmeritorious claims, and is regularly called upon to act in cases involving senior Government employees. Recently, Claire has undertaken a number of cases connected to adverse vetting decisions.

Claire's clients have particularly commented on her pragmatic approach to the underlying issues that often arise in employment relationships and her understanding approach to witnesses and clients. She is experienced in investigations.

Claire is a member of the Employment Lawyers Association.

Notable Employment cases

Successfully represented a company who engaged a pilot as Chief Captain of a private plane in a 3-day hearing for unfair dismissal, whistleblowing, and breach of contract, including issues of employment status.

Represented a former finance director of an AIM listed company in a 5-day Tribunal hearing for equal pay, sex discrimination, unfair dismissal, wrongful dismissal etc. The case was settled for an undisclosed sum on day 3 after Claire had cross-examined the Chief Executive of the Respondents.

Successfully represented Millwall Football Club in a 2-day hearing involving unfair and wrongful dismissal from a former employee.

Successfully represented a Government department in a 10-day disability discrimination case.

Claire also appears in the Employment Appeal Tribunal. Reported cases include GCHQ v Bacchus [2012] Eq.L.R. 1002 and Jennings v Barts and the East London Trust [2013] Eq. L.R. 326 both dealing with disability discrimination.

In March 2014, Claire appeared for the MOD in the first ever full merits hearing in the Industrial Disputes Tribunal in the Sovereign Base Area, Cyprus. She was called to the SBA Bar, and successfully defended the claim dealing with issues of TUPE, contract, unfair dismissal and redundancy.

Personal Injury

Claire is regularly instructed in cases involving claims for damages for personal injury as part of wider civil and employment claims. Her experience includes claims for general damages, special damages and pension loss (both public sector and private pensions).

Education & Qualifications

- 2003 Called to the Bar by Lincoln's Inn
- 2003 BPP Law School, Bar Vocational Course
- 2002 University of Bristol, LLB (Hons)

Memberships

- Administrative Law Bar Association
- Employment Lawyers Association
- Faculty of Forensic and Legal Medicine
- South Eastern Circuit

Lectures / Training

- 2024 Reappointed to Attorney-General's A Panel of Junior Counsel to the Crown for a further 5 year period.
- 2022 Elected Ordinary Bencher of the Honourable Society of Lincoln's Inn
- 2020 Appointed a Deputy District Judge (Civil) on the South Eastern Circuit
- 2019 Appointed to the Attorney-General's A Panel of Junior Counsel to the Crown
- 2014 Appointed to the Attorney-General's B Panel of Junior Counsel to the Crown
- 2009 Appointed to the Attorney-General's C Panel of Junior Counsel to the Crown

Claire was formerly on the London Board of Crimestoppers working alongside the Metropolitan Police and previously chaired her local Police SNT Ward Panel. She is actively involved in the City of London and was a Trustee of the Worshipful Company of Security Professionals Charitable Trust for 6 years, and Chair for four years (2020-2024).

Lectures & Seminars

- Claire regularly gives lectures on topics across her practice areas, most recently speaking at Chambers' Inquests and Inquiries conference.
- Claire is an accredited advocacy trainer (Tutor Trainer) for Lincoln's Inn and an approved pupil supervisor.

Awards

