

# Peter Laverack

Call 2015



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**Peter Laverack practises across Chambers' core areas, representing Government departments, police forces, companies and individuals in various forums.**

He has appeared before all levels of the English Courts and before the Privy Council, and has made representations to the European Court of Human Rights. Peter's practice also spans public inquiries, inquests and misconduct hearings.

Before transferring to the Bar, Peter worked in the NGO and United Nations sectors and as a solicitor at Hogan Lovells, where he practised commercial litigation and arbitration. As a barrister, he continues to take instructions from corporates, in particular in public inquiries and human rights litigation. Peter also acts on constitutional and human rights matters in the English-speaking Caribbean.

Peter was appointed to the Attorney General's C Panel of Counsel in August 2021. He is recognised in Legal 500 as a Leading Junior in both Police Law and Administrative Law and Human Rights.

## Expertise

### Police Law

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Peter is ranked in Legal 500 as a Leading Junior in Police law. His practice for police clients spans civil litigation, judicial review, inquests, misconduct hearings and civil applications in the criminal courts.

He has defended civil claims in the County Court and High Court for wrongful arrest, false imprisonment, assault/battery, personal injury, malicious prosecution, misfeasance in public office, and for alleged breaches of the Human Rights Act 1998, the Equality Act 2010 and the Data Protection Acts 1998 and 2018. Peter also advises and represents police forces in judicial review proceedings. He regularly represents police forces in inquests and Appropriate Authorities in police misconduct proceedings. He also represents police forces and the National Crime Agency in civil matters heard by the criminal courts, including sexual risk orders, forced marriage protection orders, and proceeds of crime forfeiture.

He has undertaken secondments to the legal departments of four police forces (Greater Manchester, Lancashire, West Midlands and Staffordshire, and Devon and Cornwall and Dorset), where he worked alongside in-house lawyers and responded to the day-to-day legal queries of officers from Chief Constables to PCs.

## Notable Police Law cases

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In the Matter of 'Officer A' (29 September 2023)

Counsel for the Metropolitan Police Service's Appropriate Authority in a misconduct hearing that resulted in several findings of sexual assault and attempted rape by Officer A against a female officer while off duty, and an associated finding of gross misconduct and the outcome of dismissal without notice.

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Urch v the Chief Constable of South Wales Police (20 July 2023)

Counsel for the defendant in a 4-day jury trial at the County Court at Cardiff, in which the Peter succeeded in running the 'Parker defence' in a claim for false imprisonment.

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Onyema v the Commissioner of Police of the Metropolis (16 June 2023)

Counsel for the defendant in a 5-day trial at the Central London County Court, in which claims for false imprisonment and misfeasance in public office were dismissed.

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[R \(oao the Chief Constable of British Transport Police\) v Police Misconduct Panel v Aftab \[2023\] EWHC 589 \(Admin\)](#)

Counsel for the claimant (led by John Beggs KC), in a judicial review brought by BTP against the decision not to dismiss an officer who had used his warrant card to engage in sexually inappropriate behaviour with a passing female member of the public. The judge, allowing the claim, held that the Panel had failed to grasp the seriousness and significance of the officer's conduct and the impact that such conduct has upon public confidence in the police. He held that a warrant card provides an officer with the means to disable, disarm, placate and reassure members of the public so that they acquiesce to the officer in ways that they would not to a member of the public. The use of a warrant card to influence a lone woman for the officer's personal gain so seriously undermines public confidence that it is corrosive to policing by consent. He held that this conduct should properly have been characterised as APSP (abuse of position for a sexual purpose) and "serious corruption" which has no place in policing.

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[R \(oao Roberts\) v the Commissioner of Police of the Metropolis \(High Court \(Admin\)](#)

unreported, 19 January 2023) – Counsel for the respondent in a re-opened permission hearing that considered the validity of the claimant's Notice of Discontinuance and the underlying merits of his claim for judicial review, with a result that permission was refused by the Court.

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[G v the Chief Constable of Cheshire Police](#)

Counsel for the respondent in various High Court (King's Bench Division) hearings in London and Bristol in which injunctions had been sought against the Chief Constable surrounding the execution of a warrant and the arrest of the applicant.

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[Inquest touching the death of Katie Locke](#)

Counsel for Avon & Somerset Constabulary in an inquest, with numerous police and NHS Interested Persons, concerning the murder of Ms Locke by Carl Langdell.

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## Human Rights

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Peter is ranked in Legal 500 as a Leading Junior in Administrative Law and Human Rights.

In England & Wales, Peter represents both defendants and claimants in judicial review proceedings concerning common law rights and those protected by the Human Rights Act 1998. He also acts for police forces and Government departments in civil claims under the Human Rights Act 1998.

Peter also frequently appears in front of domestic courts in the Caribbean whose final appellate court is the Privy Council. He is called to the Bar of St Vincent & the Grenadines and has had ad hoc call in the Cayman Islands. He has made representations to the European Court of Human Rights in potential proceedings against the United Kingdom. Peter also advises on regional and international treaty law, such as under the American Convention on Human Rights and the UN's International Covenant on Civil and Political Rights. He has also advised potential amici curiae on comparative law in an appeal to the US Supreme Court.

Peter joined 5 Essex Court with several years' experience of human rights law in the domestic courts, Commonwealth courts, and at the regional and international levels. He previously worked as a Legal Consultant to a London-based NGO that brought strategic human rights litigation. There, he assisted claimants in domestic litigation in Commonwealth countries, produced policy documents for use by UK Government departments and EU Institutions, and advised on mechanisms to enforce international human rights obligations. He also worked as a Legal Consultant to the prosecution section of the Extraordinary Chambers in the Courts of Cambodia, which secured the guilty verdicts against the surviving leaders of the Khmer Rouge regime. His previous role as a solicitor included acting for corporates accused of human rights violations.

Peter has delivered talks and seminars on human rights issues in various forums, including at the UK Parliament, to EU Institutions, and at schools and universities. He has published extensively in academic journals on human rights and international law.

## Notable Human Rights cases

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*R (oao Colours Caribbean) v Secretary of State for Foreign, Commonwealth and Development Affairs* (unreported, 27 April 2023, High Court (Admin))

Counsel for the claimant (led by Edward Fitzgerald KC), seeking permission to challenge in the English courts the lawfulness of a provision in the constitution of a British Overseas Territory, passed into law on the authority of the defendant.

*Johnson & Macleish v the Attorney General of St Vincent & the Grenadines*

Counsel for the claimants (led by Jason Beer KC before trial, and Joe Middleton KC at trial) in a constitutional challenge to that jurisdiction's laws that criminalise consensual same-sex sexual intimacy. Judgment is pending.

*Day & Bodden Bush v The Governor of the Cayman Islands* [2022] UKPC 6

Counsel for the claimants (led by Edward Fitzgerald KC and Ben Tonner KC) in a constitutional challenge regarding the absence of civil partnership and marriage for same-sex couples. Peter acted for the claimants at all stages. At first instance, the Cayman Islands' Grand Court granted the desired relief of amending the Marriage Law to enable same-sex couples to marry. On appeal, that decision was reversed, but with the Cayman Islands' Court of Appeal declaring that legislation must be passed to establish an institution that is functionally equivalent to marriage. That decision was upheld by the Privy Council. These proceedings resulted in the legal recognition of same-sex relationships for the first time in the Cayman Islands, via the creation of civil partnership.

*Jones v the Attorney General of Trinidad & Tobago* (2018)

Legal advisor for the claimant in the landmark constitutional challenge that found unlawful that jurisdiction's laws that criminalise consensual same-sex sexual intimacy. The judgment has been cited around the world, including by the Indian Supreme Court and other courts of the Commonwealth Caribbean

## Inquests

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Peter acts in sensitive and high-profile inquests including Article 2 inquests and those in front of a jury. He has acted for police forces in inquests arising from a murder, a drowning after a police pursuit on foot, a death after a collision with a police car, and police responses to suicides. Peter's recent inquests for Government departments include those arising from deaths on the prison estate and one that assessed the potential contribution of a Covid-19 vaccine to a death.

Peter contributes to 5 Essex Court's Inquests Blog, most recently on 'Submissions at conclusion of inquest: Galbraith Plus and causation submissions'.

<https://5essexcourt.co.uk/resources/blogs-view/submissions-at-conclusion-of-inquest-galbraith-plus-and-causation-submissions>

## Public Inquiries

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Peter acts on behalf of and advises public bodies and private companies in public inquiries. He is presently junior counsel for a core participant in the Grenfell Tower Inquiry, and is advising a Government department in the UK Covid-19 Inquiry.

## Information Law

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Peter has an interest in Data Protection and Information Law and is available to instruct in the following matters:

- The Data Protection Acts 1998 and 2018, the Law Enforcement Directive, and the General Data Protection Regulation, including in relation to data breaches;
- Civil claims concerning misuse of private information, breach of Articles 8 and 10 ECHR, confidentiality, or defamation;
- The Regulation of Investigatory Powers Act 2000 and the Investigatory Powers Act 2016, in the Investigatory Powers Tribunal and elsewhere;
- The Freedom of Information Act 2000 and challenges to decisions by public authorities or the Information Commissioner;
- Public law challenges to the lawfulness of systems for collection, retention or deletion of information, or individual decisions about the handling of information;
- Claims of unauthorised access to or use of information relating to employment;
- Disclosure of information between related sets of proceedings, and issues relating to Closed Material Procedures, Public Interest Immunity and Legal Professional Privilege.

## Education & Qualifications

- 2015 – Called to the Bar by Inner Temple,
- 2012 – Admitted Solicitor-Advocate
- 2010 – Admitted Solicitor of England & Wales
- 2015 – King’s College London LLM International Law (Distinction)
- 2007 – BPP Professional Education Legal Practice Course (Commendation)
- 2006 – Graduate Diploma in Law (Commendation)
- 2004 – University of Oxford BA, Philosophy, Politics & Economics (2:1)

## Career

Peter practises across 5 Essex Court’s core areas, representing Government departments, police forces, companies and individuals in various forums. He has appeared before all levels of the English Courts and before the Privy Council, and has made representations to the European Court of Human Rights. Peter’s practice also spans public inquiries, inquests and misconduct hearings.

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## Selected Publications and Seminars

- Belize decriminalises homosexuality: *Caleb Orozco v Attorney General of Belize* [2016] E.H.R.L.R., 556.
- International Human Rights Law, Domestic Constitutions and the Common Law: the Criminalisation of Homosexuality Testing the Efficacy of Different Sources of Law [2016] E.H.R.L.R., 411.
- International Human Rights Law in Judicial Review: *Moohan and R(SG) as Guides to Present and Post-Human Rights Act Legal Landscapes* [2016] E.H.R.L.R., 73.
- The Rise of Asia and the Status of the French Language in International Law [2015] Chinese J.I.L., 567.
- What if the Khmer Rouge had Twitter? Lessons for today’s online Jihadists on liability under Joint Criminal Enterprise [2015] Alt.L.J., 190.
- Our Story: The History of LGBT Rights in the UK, February 2017, LGBT List, London, presented to the public to mark 50 years since England’s decriminalisation of homosexuality.

- Criminalising Homosexuality: Irreconcilable with Good Governance, April 2016, Embassy of the Netherlands, Brussels.

## Languages

- Chinese Mandarin (Upper Intermediate: Peking University).

## Awards

- 2015 'Legal Hero', Law Society of England & Wales (for anti-discrimination work)
- 2015 International runner-up, International Moot Court Competition, Law & Religion
- 2015 Winner, Landmark Chambers' Human Rights Moot Competition

## Awards

