

Peter Laverack

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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 Administrative Law & Human Rights and Police Law, and ranked in Chambers UK for Civil Liberties & Human Rights and Police Law.

Expertise

Police Law

Peter is ranked in both Legal 500 and Chambers UK for 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, as claimant or defendant. He regularly represents police forces in inquests and Appropriate Authorities in police misconduct proceedings. He also acts for the National Crime Agency and the Independent Office for Police Conduct.

Peter 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

Onyema v the Commissioner of Police of the Metropolis (High Court (KB)) (unreported, 26 April 2024)

Counsel for the respondent at a permission to appeal hearing, which was successfully resisted, and counsel at first instance in a 5-day trial at the Central London County Court, in which the claims for false imprisonment and misfeasance in public office were dismissed.

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.

Urch v the Chief Constable of South Wales Police (County Court) (unreported, 20 July 2023)

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

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.

Gedman v the Chief Constable of Cheshire Police [2023] EWHC 723 (KB)

Counsel for the defendant in High Court proceedings in London (and related proceedings at the Bristol High Court Registry) in which injunctions had been sought against the Chief Constable surrounding the execution of a warrant, seizure of property and the arrest of the claimant. Both the injunction applications and the proceedings were dismissed.

R (oao Roberts) v the Commissioner of Police of the Metropolis (High Court (Admin)) (unreported, 19 January 2023)

Counsel for the defendant 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 of a police decision not to investigate, with a result that permission was refused by the Court.

R (oao Deacon) v Wimbledon Magistrates' Court v the Commissioner of the Police of the Metropolis [2021] EWHC 3358 (Admin)

Counsel for the Commissioner in judicial review proceedings concerning the true meaning of s.298(2) of the Proceeds of Crime Act 2002. The claimant alleged that the Wimbledon Magistrates' Court had misapplied s.298(2) resulting in cash being forfeited from her as proceeds of crime (Peter acted in the forfeiture proceedings, too). Whipple J agreed that the magistrates had correctly applied s.298(2) and therefore dismissed the claim for judicial review.

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.

Human Rights, Public & Administrative Law

Peter is ranked in Legal 500 as a Leading Junior in Administrative Law and Human Rights, and in Chambers UK for Civil Liberties & 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 rights-based legislation, such as the Human Rights Act 1998. He 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. Peter has made representations to the European Court of Human Rights, and has advised potential amici curiae on

comparative law in an appeal to the US Supreme Court. He 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.

Prior to transferring to the Bar, Peter worked in the NGO sector and 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, Public & Administrative Law cases

Willis v the Chief Constable of South Wales Police and the Ministry of Justice (County Court) (unreported, 13 November 2024)

Counsel for the defendants in an Article 5 claim (liberty) arising from the arrest of the claimant (an offender on home detention curfew) and his recall to prison due to a mistaken belief that he had breached his licence conditions. The Article 5 claim was dismissed.

Johnson & Macleish v the Attorney General of St Vincent & the Grenadines (High Court SVG) (16 February 2024)

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, and now counsel in the subsequent appeal to the Eastern Caribbean Court of Appeal.

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.

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

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. These proceedings exhausted domestic remedies, paving the way for an application to the European Court of Human Rights to challenge the provision of the constitution in that forum.

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.

R (oao Deacon) v Wimbledon Magistrates' Court v Commissioner of the Police of the Metropolis [2021] EWHC 3358 (Admin)

Counsel for the Commissioner in judicial review proceedings concerning the true meaning of s.298(2) of the Proceeds of Crime Act 2002. The claimant alleged that the Wimbledon Magistrates' Court had misapplied s.298(2) resulting in cash being forfeited from her as proceeds of crime (Peter acted in the forfeiture proceedings, too). Whipple J agreed that the magistrates had correctly applied s.298(2) and therefore dismissed the claim for judicial review.

Jones v the Attorney General of Trinidad & Tobago (High Court TT, 12 April 2018)

Legal advisor to 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

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 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 Chambers' 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

Peter acts on behalf of and advises public bodies and private companies in public inquiries. He was junior counsel (and then sole counsel) for Building Research Establishment in the Grenfell Tower Inquiry. In the UK Covid-19 Inquiry, Peter advised a Government department in preparation for expected core participant status.

Information Law

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.

Notable Information Law cases

Holt v Information Commissioner and the Ministry of Justice [2024] UKFTT 966 (GRC)

Counsel for the MoJ in an appeal against ICO's decision that the MoJ was under no obligation under the Freedom of Information Act 2000 to provide an amateur genealogist with a copy of an original will. ICO had held that HM Courts & Tribunals Service (for which the MoJ is responsible) holds wills as a part of its judicial function, rather than in the capacity of a public authority for the purpose of FOIA 2000. The MoJ was joined as a party to the appeal to the FTT, which upheld ICO's decision and the MoJ's position.

Willis v the Chief Constable of South Wales Police and the Ministry of Justice (County Court) (unreported, 13 November 2024)

Counsel for the defendants in an Article 5 claim (liberty) arising from the arrest of the claimant (an offender on home detention curfew) and his recall to prison due to a mistaken belief that he had breached his licence conditions. The mistake was held to be a data breach under the Data Protection Act 2018, but such 'unlawfulness' did not result in a violation of Article 5 as the post-recall detention was lawful under the original sentence of the criminal court.

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 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.

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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

