

Samantha Leek KC

Call 1993

Silk 2012



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Samantha Leek KC is ranked as a Tier 1 leading silk and acts for a range of clients in high profile cases. She is currently representing Paula Vennells in the Post Office Inquiry.

Her practice focuses on inquests and public inquiries and related litigation, human rights, public law and police law.

This is what the directories say about her:

Legal500:

She is rated for her “pitch perfect advocacy” and is described as “A go-to counsel” who is “Incredibly charming”.

“A fantastic advocate who balances all the qualities required. She comes across as clear, empathetic, sincere and focused in all her questioning.”

Chambers UK:

“She’s also very tough: if she were representing you, you would be over the moon”.

“Samantha is a polished and commanding advocate. She has a huge body of experience in Inquests and Inquiries.”

“She is very good with difficult briefs, and at sailing through cases where her clients are facing serious criticism.”

Public inquiries

These include:

- Post Office Horizon IT Inquiry – currently representing Paula Vennells, former CEO of Post Office Limited
- Covid-19 Inquiry – representing the Royal College of Anaesthetists, Association of Anaesthetists and the Faculty of Intensive Care Medicine
- Grenfell Tower Inquiry
- Independent Inquiry into Child Sexual abuse – acted in the following investigations:
 - Child Migration (for Department of Health)
 - Lambeth Children’s Homes (for Metropolitan Police Service)
 - Residential Schools (for Clifton College)
 - Westminster (for Metropolitan Police Service)
 - Nottinghamshire Children’s Homes (for Chief Constable of Nottinghamshire Police)
 - Lord Janner (for Chief Constable of Leicestershire Police)
 - Anglican Church – Bishop Peter Ball (for Metropolitan Police Service)
 - Child Sexual Exploitation (for Chief Constable of Warwickshire Police)
- Azelle Rodney Inquiry

- Anthony Grainger Inquiry
- Undercover Policing Inquiry
- Marchioness Inquiry

Inquests

Notable examples of Sam's recent inquest work include:

- Forbury Gardens Inquests
- Fishmongers Hall Inquests
- Advising Oxford College in relation to the death of a student
- Westminster Bridge inquests
- London Bridge Inquests
- Hillsborough inquests
- Inquest into the death of Mark Duggan
- Inquest into the death of Jean Charles de Menezes
- Tunisia shootings inquests
- Birmingham Pub Bombings inquests
- Ongoing – the inquest into the death of Lorraine Barwell (the first Prisoner Custody Officer to be killed by a prisoner whilst on duty).

Expertise

Public Inquiries

Sam has extensive experience of public inquiries.

Notable Public Inquiries cases

Post Office Horizon IT Inquiry.

Currently representing Paula Vennells, former CEO of Post Office Limited.

Covid-19 Inquiry.

Representing the Royal College of Anaesthetists, Association of Anaesthetists and the Faculty of Intensive Care Medicine.

Grenfell Tower Inquiry.

On behalf of the Buildings Research Establishment.

Independent Inquiry into Child Sexual Abuse - acted in the following investigations:

- Child Migration (for Department of Health)
- Lambeth Children's Homes (for Metropolitan Police Service)
- Residential Schools (for Clifton College)
- Westminster (for Metropolitan Police Service)
- Nottinghamshire Children's Homes (for Chief Constable of Nottinghamshire Police)
- Lord Janner (for Chief Constable of Leicestershire Police)
- Catholic Church – Bishop Peter Ball (for Metropolitan Police Service)
- Child Sexual Exploitation (for Chief Constable of Warwickshire Police)
- Child Migration (for Department of Health)

Undercover Policing Inquiry

Acting on behalf of the Chief Constables of Leicestershire and Nottinghamshire.

Anthony Grainger Inquiry

Representing the National Crime Agency.

Marchioness Inquiry

Junior counsel to the Inquiry.

Thames Safety Inquiry

Junior counsel to the Inquiry.

Azelle Rodney Shooting Inquiry

Represented Specialist Firearms Officer E7 who shot and killed Azelle Rodney who was in a car en route to commit a robbery.

Inquiry into Libraries in the Wirral

Counsel to the Inquiry.

Inquests

Sam is rated as a 'Band 1' Silk in Inquests and Public Inquiries in Chambers UK. She represents individuals, Police Forces, private and public companies, coroners, the Home Office, the Ministry of Defence and other government departments and agencies. She frequently gives lectures to solicitors, clients, police and coroners on the conduct of inquests; appeared on Radio 4's "Unreliable Evidence" to discuss inquests and was the Times "Lawyer of the Week" following her role as Counsel to the Tunisia Inquests.

Notable Inquests cases

Forbury Gardens Inquests.

Inquests into the deaths of the victims of the Fishmongers' Hall Terrorist Attack.

Advising Oxford College in relation to the death of a student.

Inquest into the death of Jean Charles de Menezes.

Numerous strands of IICSA

including Lambeth (for the MPS); Residential Schools (for Clifton College); Child Sexual Exploitation (for Warwickshire Police); Lord Janner (for Leicestershire Police).

Westminster Bridge and London Bridge / Borough Market terrorist attacks

Representing the Government in the forthcoming inquests.

Birmingham Pub Bombings

Acting on behalf of the government in the inquests (and related judicial review proceedings) into the deaths of those killed in the Birmingham Pub Bombings in 1974.

Barwell

Representing Serco in the inquest into the death of Lorraine Barwell, a Serco employee who was killed by a prisoner whilst on duty. This also involves related Health and Safety and Civil Proceedings.

Tunisia Shootings Inquests

Appointed as Counsel to the inquests by HHJ Loraine-Smith

Inquest into the death of Bijan Ebrahimi

Instructed as counsel for the Chief Constable of Avon and Somerset for the inquest and civil proceedings arising out of the death of Bijan Ebrahimi, who was murdered by neighbours who wrongly thought him to be a paedophile.

Hillsborough

Represented Operation Resolve, appointed by the Home Office to investigate all criminal aspects of the Hillsborough disaster, including Health and Safety issues under the Health and Safety at Work Act and potential criminal responsibility of the ambulance service and local authority. There was ongoing liaison throughout the inquest process with HSE, IPCC and CPS.

Inquest into the death of Dr Abbas Khan

Counsel to HM Chief Coroner in the inquest arising from the death of a British doctor detained in Syria.

Inquest into the death of Mark Duggan

Mark Duggan was shot by officers from the MPS in August 2012. His death sparked riots in London and elsewhere. In the inquest into his death Sam represented the Serious Organised Crime Agency, which had provided to the MPS the intelligence upon which their surveillance operation was based.

Inquest into the death of Ian Tomlinson

Represented the Metropolitan Police Service in the inquest (and related civil litigation) into the death of Ian Tomlinson, who died shortly after being pushed over by an MPS officer, during the G20 riots.

Inquest into the death of Terry Nicholas

Counsel for the 3 Metropolitan Police Service 'Specialist Firearms Officers' who discharged firearms and fatally wounded Terry Nicholas.

Inquest into the death of Simon Murden

Counsel for the Chief Constable of Humberside in the seven-week inquest into the shooting of Simon Murden.

Inquest into the death of Stephen Brown

Acted on behalf of Serco Home Affairs in the four-week inquest into the death of Stephen Brown who died of septicaemia whilst in Doncaster Prison. The inquest centred on alleged failures in healthcare at the prison.

Inquests into the deaths of David Christie / Paul Macaulay

Acted on behalf of the Ministry of Defence in the inquests into the deaths of members of the Royal Navy, who died whilst undergoing training to be Navy divers.

Police Law

Sam represents the police in most areas of civil law, including judicial review, inquests, claims for assault, false imprisonment, malicious prosecution and misfeasance in public office and advises on all aspects of police powers including policy and operational issues.

Notable Police Law cases

Inquests (see Inquest experience) into the deaths of: **96 Hillsborough Victims, Mark Duggan, Ian Tomlinson, Jean Charles de Menezes, Terry Nicholas, Simon Murden, David Sycamore, Fosta Thompson, Andrew Kernan.**

Public inquiries (see Public Inquiry experience)

Currently acting on behalf of various Chief Constables in the **Undercover Policing Inquiry** and a number of strands of the **Independent Inquiry into Child Sexual Abuse.**

R (on the application of Vijay Karia) v Chief Constable of Hampshire Constabulary [2015] EWHC 4083 (Admin)

Judicial review relating to police disciplinary procedures.

Julia Tomlinson & others v Commissioner of Police of Metropolis

Representing the Commissioner in the civil claim arising out of the death of Ian Tomlinson, who died after being pushed over by PC Simon Harwood.

Allen v Chief Constable of Hampshire [2013] EWCA Civ 967

Court of Appeal found that Article 3 gave rise to an obligation on the part of the State to conduct an effective investigation into allegations that treatment amounted to violation of a person's rights, but that the scope of the obligations would differ greatly depending on whether the violation was inflicted by agents of the State or, at the other end of the scale, private individuals, as in the instant case.

Desmond v Chief Constable of Nottinghamshire [2009] EWHC 2362 (QB)

Representing the Chief Constable of Nottinghamshire in resisting Mr Desmond's appeal against the order of the County Court striking out his claim in negligence.

R (Gunn) v MAPPA [2009] EWHC 1812

See Public Law experience.

R (De Menezes) v HM Assistant Deputy Coroner for Inner South London [2008] EWHC 3356

Urgent application for permission by the family of Jean Charles De Menezes, challenging the Coroner's ruling which restricted the verdicts and questions to be left for the jury to consider.

Charles v Commissioner of Police of the Metropolis (2008) Central London County Court

Civil jury action in which the Claimant claimed damages for assault, false imprisonment and malicious prosecution.

Singh v Chief Constable of West Midlands [2006] EWCA (Civ) 1118

See Public Law experience.

Alder v Police Complaints Authority & others

Acted for the PCA in long running claim for discrimination and misfeasance in public office.

R (Mulholland) v HM Coroner for Inner North London [2003] EWHC 2612(Admin)

Acted for Commissioner in JR against decision of Coroner.

R (Stanley) v HM Coroner for Inner North London [2003] EWHC 1180 (Admin)

Acted for Commissioner in judicial review against decisions of Coroner.

Public & Administrative

Sam appears in the Administrative Court on behalf of Police Forces and government departments. She undertakes all areas of public law work, including prison law, judicial review, human rights.

Notable Public & Administrative cases

Re Jonnie Meek

Advising Clinical Commissioning Group with regard to an application to the Attorney General for a fiat seeking a fresh inquest. Alleged clinical negligence and insufficiency of inquiry.

Re Parkinson

Acting on behalf of HM Coroner for Kent in forthcoming judicial review of a number of decisions during the course of the inquest. Alleged clinical negligence and insufficiency of inquiry.

Goode v Chief Constable of Nottinghamshire [2013] EWHC 1726 (Admin)

Validity of a search warrant and the jurisdiction of the Crown Court to examine the circumstances of the issue of a warrant by a magistrates' court

R (Sreedharan) v HM Coroner for Greater Manchester [2013] EWCA Civ 181

Appeal to Court of Appeal concerning scope and ambit of coroners' inquests.

R (De Menezes) v HM Assistant Deputy Coroner for Inner South London [2008] EWHC 3356

Urgent application for permission by the family of Jean Charles De Menezes, challenging the Coroner's ruling which restricted the verdicts and questions to be left for the jury to consider.

R (Pounder) v (1) HM Coroner for North & South Districts of Durham & Darlington (Defendant) (2) Youth Justice Board (3) Serco Home Affairs Ltd (4) Lancashire County Council (Interested Parties) [2009] EWHC 76 (Admin) (Administrative Court)

Represented Serco Home Affairs Ltd, who operated Hassockfield Secure Training Centre, where Adam Rickwood had hanged himself in his cell, aged 14. The Claimant, Adam's mother, applied for judicial review of a decision of the defendant coroner not to make any ruling as to the legality of a restraint used on Adam before his death.

R (Gunn) v MAPPA [2009] EWHC 1812

Advised MAPPA in a JR in which the Claimant claimed that MAPPA had wrongly categorised him as Category 3, Level 3 according to the MAPPA Guidelines and accordingly imposed too stringent licence conditions.

JN (Cameroon) v SSHD [2009] EWCA Civ 307

Appeal against a decision of the Asylum and Immigration Tribunal to uphold the SSHD's deportation order.

MF (Jamaica) v SSHD [2007] EWCA (Civ) 1153

Appeal against the decision of the AIT as to whether there was a subsisting marriage.

Singh v Chief Constable of West Midlands [2006] EWCA (Civ) 1118

Challenge to the way in which West Midlands police had dealt with protests against the play Bezhti, which some members of the Sikh community found deeply offensive. The Claimant challenged the lawfulness of a direction to disperse protesters which had been issued on 16.12.04 pursuant to section 30(4) of the Anti Social Behaviour Act 2003 ('ASBA').

Professional Discipline & Regulatory

Sam has advised the Secretary of State for Health and Secretary of State for Children Schools and Families in a number of appeals by nurses and teachers against inclusion on the Protection of Vulnerable Adults List and Protection of Children list.

Sam has also acted in judicial reviews surrounding disclosure of NMC disciplinary findings relating to nurses and advised on the relationship between discipline / inspections / disclosure.

Sam has acted in numerous police and Ministry of Defence Police disciplinary cases.

Sam regularly advises on the interrelationship between inquests / public inquiries and ongoing disciplinary proceedings (whether police, prison, medical or other).

Personal Injury

Over the last 20 years, Sam has been instructed on behalf of private companies, individuals, police forces, government departments (including Home Office, MOD, Department for Transport, Ministry of Justice, FCO) and privately run prisons in all aspects of personal injury law including:

- claims for damages for psychiatric injury;
- claims by prisoners for negligence / assault;
- employer's liability;
- claims arising out of deaths in custody and police shootings;
- road traffic accidents;
- occupier's liability;
- Highways Act claims;
- fatal accidents.

Healthcare

Sam is ranked as a leading silk. Her practice focuses on inquests and public inquiries and related litigation, human rights, public law and claims against the police, government departments and other public bodies.

Sam acts for a range of clients in high profile cases. She is rated for her "pitch perfect advocacy" and is described as "A go-to counsel" (Legal 500) who is "Incredibly charming", "she's also very tough: if she were representing you, you would be over the moon" (Chambers UK).

Notable examples of Sam's inquest work include: inquests into the deaths of: the victims of the Westminster Bridge and London / Bridge terrorist attacks; 96 Hillsborough victims, Mark Duggan; Jean Charles de Menezes and the victims of the Tunisia shootings. Sam also represented HMG in the inquest into the Birmingham Pub Bombings and acted on behalf of Serco in the inquest into the death of Lorraine Barwell (the first Prisoner Custody Officer to be killed by a prisoner whilst on duty).

Public inquiries include: Marchioness Inquiry, Azelle Rodney Inquiry, Anthony Grainger Inquiry, Undercover Policing Inquiry, Independent Inquiry into Child Sexual Abuse.

Healthcare

Brown v Premier (inquest / civil proceedings) – death relating to alleged failures in healthcare.

Care standards

Represented Secretary of State for Health in an appeal by a Registered Mental Nurse (Rosemary Vargas) against her inclusion on the protection of Vulnerable Adults List and Protection of Children list.

Advised Secretary of State for Children Schools and Families in relation to an appeal against his inclusion on the Protection of Children list to the Care Standards Tribunal under section 144 of the Education Act 2002.

Judicial reviews (**Dedman / Noble**) surrounding disclosure of NMC disciplinary findings relating to nurses. NB – relationship between discipline / inspections / disclosure.

Clinical negligence / disciplinary issues in prison / hospital cases

Sam has acted in literally hundreds of cases relating to injuries and failure properly to treat in prison, including:

- Zoppola – paraplegic in prison – failure to diagnose and treat pressure sore, resulting in surgery and skin graft
- Abdul-Latif – alleged failure to diagnose fracture
- Moss – negligent treatment of burns to arm
- Carmody – failure to diagnose peritonitis
- McCrossan – negligent treatment of inmate – whether intracerebral bleed was due to trauma or spontaneous bleed.
- Jonny Meek (dec'd) – application for AG's fiat to reopen inquest into death following alleged clinical negligence of treating hospital – fresh evidence case.
- Numerous suicides related to alleged failures in treatment for psychiatric injury.

Covid-19 Public Inquiry Hub

Sam has developed a niche practice of representing police, government departments, Coroners, schools, individuals, companies and other organisations in high profile public inquiries and inquests.

She is currently instructed in the Grenfell Tower Inquiry, the Post Office Horizon IT Inquiry, the Undercover Policing Inquiry and has recently completed several of the ongoing investigations being conducted by the Independent Inquiry into Child Sexual abuse.

Sam has extensive experience of public inquiries. Other notable examples include:

- Anthony Grainger Inquiry – Representing the National Crime Agency.
- Marchioness Inquiry – Junior counsel to the Inquiry.
- Thames Safety Inquiry – Junior counsel to the Inquiry.
- Azelle Rodney Shooting Inquiry – Represented Specialist Firearms Officer E7.
- Inquiry into Libraries in the Wirral – Counsel to the Inquiry.

Education & Qualifications

- 2012 – Appointed King's Counsel
- 1993 – Called to the Bar by Gray's Inn
- 1993 – Inns of Court School of Law
- 1992 – Common Professional Examination
- 1991 – St Hugh's College, Oxford University, French and German

Memberships

- Administrative Law Bar Association
- Human Rights Lawyers' Association
- Personal Injuries Bar Association
- Association of Jewish Lawyers and Jurists

Appointments

Sam was Junior Counsel to the Crown between 1999 and 2012 (A Panel from 2010).

Lectures & Seminars

Samantha provides CPD lectures to solicitors and police officers on all aspects of her practice. She has lectured widely on topics including: Disaster Victim Identification and Emergency Planning; Human Rights; The role of the police in major disasters; the seizure, detention and forfeiture of terrorist cash; Police Reform Act 2002 and deaths in custody; The legal implications of the police use of firearms / lethal force; post incident management in firearms incidents.

Awards

