

Cian Murphy



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Profile

Prior to coming to the Bar, Cian spent ten years as a legal academic and consultant, teaching public and human rights law, criminal law, and international law. He was a Fulbright-Schumann Scholar at Georgetown and NYU.

Related practice areas

Administrative & Public Law

Inquests and Public Inquiries

Actions Against the Police and Public Authorities

Community Care and Health

Media, Defamation and Freedom of Expression

Education

Data Protection and Information Law

Public International Law

International Law

International Law & Dispute Settlement

Cian has extensive experience in international law having spent ten years as a legal academic before coming to the Bar. His experience in international dispute settlement includes as Assistant to the ICSID Arbitration Tribunal in *Kim v Uzbekistan* (ARB/13/6) and as an assistant in other arbitrations.

In 2024 he published ***By Peaceful Means: International Adjudication and Arbitration*** as part of a team led by Judge Charles N. Brower and President Joan D. Donoghue of the International Court of Justice. Cian's earlier publications include an award-winning book, ***EU Counter-terrorism Law***, and **extensive writings** on EU, international, and transnational law. His current research focusses on advisory opinions of the World Court.

Cian has led NGO rule of law training and spoken at remote oral advocacy training. He has also collaborated on events and programmes with The AIRE Centre, JUSTICE, Lawyers without Borders, and Delos Dispute Resolution. He is a member of the World Justice Project's Rule of Law Research Consortium, the American Society of International Law, and the European Society of International Law.

Administrative and Public Law

Cian has been instructed in challenges to decisions of public authorities, including Government departments, before the High Court and the Court of Appeal.

This has included accountability for actions taken in response to the Coronavirus pandemic. In one such challenge, **the Government conceded** the need to make changes to its policy on charges for hotel quarantine.

Cian has a particular commitment to the rights of protesters, and has represented protesters in criminal court, as well as assisting with judicial review and civil claims in protest cases. He also advises and offers representation in judicial review matters in the fields of education, and data protection law.

Cian also has an interest in international matters or those with a cross-jurisdictional dimension. He has written about the challenges that decisions such as *AB v. Secretary of State for Justice* [2021] UKSC 28 pose for human rights advocacy in the **European Human Rights Law Review**.

Inquests and Public Inquiries

Cian acts on behalf of bereaved families in inquests touching on deaths in settings including prisons, in hospital, mental health custody, and in the community. His inquest practice also benefits from his experience in other fields, including actions against public authorities, education, and community care law, as well as his expertise on the European Convention on Human Rights.

Cian's instructions have included in inquests into the deaths of:

- **Nashon Esbrand**, in which the jury found “clear and direct causal connection” between police failings and Nashon's murder;
- **Caitlin Mack**, whose death in the community may have been avoided with mental health support and appropriate accommodation;
- Stephen Weatherley, whose death led the Coroner to make a **Prevention of Future Deaths report to the Ministry of Justice**;
- **Daniel Varndell**, whose death after release from prison led the Coroner to make a **Prevention of Future Deaths report in relation to release conditions**;
- **Peter Hart**, a frontline medical worker who died from COVID-19 after he was infected while working in an A&E Department;
- **Jamie Lee Bennett**, whose death in a bail hostel may have been prevented if there had been better support, leading to **Prevention of Future Deaths reports to the Ministry of Justice, and to the company responsible for prison healthcare**;
- an individual who died while in the healthcare unit of a prison in relation to which the jury found neglect and extensive causative failings contributed to death;
- an individual whose self-inflicted death in the community led the Coroner to make a **Prevention of Future Deaths report to the Home Secretary**.

Cian was led by Maya Sikand KC in the inquest into the death of **Mark Culverhouse**, who took his own life while unlawfully detained at HMP Woodhill. The jury found that a defect in the system of licence recall and release, as well as detention in the Segregation Unit, contributed to Mark's death.

He was led by Fiona Murphy in the inquest into the death of **Shane Bryant**, who died after a 17 minute long restraint by an off-duty police officer and members of the public. The jury found that unreasonable force, and missed opportunities, both contributed to the death.

Cian has particular expertise on the engagement of Article 2 ECHR and has given training on Article 2 and its role in inquests and related civil claims. He accepts appropriate instructions on a public access basis.

Actions Against the Police and Public Authorities

Cian offers advice and representation in relation to actions against public authorities, including the police, as well as prisons and local authorities. Recent instructions have included:

- Successful claims by prisoners against unlawful-strip searches in prison;
- Advice on a claim against a police force for violation of the Equality Act, Data Protection Act, and Human Rights Act;
- A claim against a local authority for unlawful disclosure of sensitive personal information.

Cian is a member of the Police Action Lawyers Group (PALG), and is a contributor to the LAG book: *Police Misconduct: Legal Remedies* in its chapters on police organisation and on anti-discrimination law and the police. He was a co-author of PALG's response to the Government's consultation on changes to the Human Rights Act 1998.

Education, Community Care, and Health

Cian undertakes a broad range of community care work, including under instructions from the Official Solicitor on behalf of vulnerable children and adults, representation before the High Court (Administrative Court), and Special Educational Needs and Disability First Tier Tribunals, and in relation to deprivation of liberty proceedings. Cian's recent instructions include:

- a successful application for judicial review of a local authority's failure to issue an EHC Plan within the statutory timeframe;

- claims for unlawful removal of children from their parents, for failure to remove children, and for delays in the issue of care proceedings;
- the successful appeal against a refusal by a local authority to issue an EHC Plan for a child with special educational needs that arose from anxiety;
- advice in relation to judicial review proceedings for failure to implement an EHC Plan;
- a claim for delay in the issue of a deprivation of liberty proceedings.

Cian has a strong commitment to access to education and undertakes *pro bono* work in this field.

Data Protection & Information Law

Cian advises in relation to data protection claims – in particular against the police and public authorities in relation to the disclosure of sensitive personal data.

He has also assisted with:

- the defence of a defamation claim brought against a public figure;
- the defence of a data protection and breach of confidence claim against a solicitors firm;
- the preparation of the Media Lawyers Association **Online Safety Guide for Journalists**