

Fiona Murphy



Call: 2013

Profile

What the directories say

"Has outstanding tactical judgement and is extraordinarily thorough in preparation."

"An asset when assembling any legal team; her procedural knowledge and tactical nous are second to none."

She is super-impressive in her attention to detail and shows amazing mastery of the facts and the law. She is a mega-expert on police law, one of the best in the field. She has a calm, confident manner in court."

"She is fantastic with clients and really knowledgeable."

"Her ability to get her head around loads of evidence is incredible." "She's a really hard-working, committed lawyer and if you're in trouble, you want her."

Overview

Fiona Murphy is Joint Deputy Head of Chambers.

Fiona specialises in civil claims against public authorities, judicial review and inquest and

inquiry work. She has expertise in both private and public law and represents individuals who seek redress for violations of their human rights.

Many of Fiona's cases are high-profile: she is currently instructed in the ongoing inquests and public inquiries into the controversial deaths following police restraint of Dalian Atkinson, Darren Cumberbatch and Shane Bryant and the police shootings of Jermaine Baker and Anthony Grainger. She represented 70 individuals in relation to phase 1 of the **Grenfell Tower Inquiry** and is currently representing several women deceived into entering abusive sexual relationships by undercover police officers in relation to their civil claim and before the **Undercover Policing Inquiry**. She acted for 77 of the families bereaved by the **Hillsborough Disaster** at the new inquests and is a member of the claimant counsel team in the ongoing group litigation for misfeasance in public office against South Yorkshire Police.

Fiona has a particular interest in remedies to address violence against women and is currently instructed in a number of cases concerning failures by the police to protect victims.

Fiona was one of the founders of leading police law specialist solicitors' practice, Bhatt Murphy and gained 20 years' experience as a solicitor conducting complex litigation before transferring to the bar in 2013.

Outside the courts, Fiona has contributed to various inquiries and reviews including the 1997 Butler Inquiry (concerning the handling of deaths in custody by the CPS), the 1997 European Committee on the Prevention of Torture's investigation into the United Kingdom's compliance and HHJ Blake's inquiry into the deaths at Deepcut Barracks.

Fiona co-presents the annual advanced Actions Against the Police and advanced Inquest and Inquiry Law courses run by the Legal Action Group.

Education

LLB, London School of Economics

Related practice areas

Actions Against the Police and Public Authorities

Inquests and Public Inquiries

Administrative & Public Law

Data Protection and Information Law

Children's Rights Group

Actions Against the Police and Public Authorities

Fiona has specialised in claimant police law since 1992. Her practice includes private and public law, inquests and inquiries. She has been involved in a number of the test cases in this area and has extensive experience of achieving successful trial outcomes and substantial out-of-court settlements.

Her notable cases include successful challenges to the outcome of independent investigations by the IPCC (**Green** and **Rahman**) and in respect of failures by the DPP to prosecute police officers (**O'Brien** and **Ahmad**), the Court of Appeal guideline case on assessment of damages in police cases (**Thompson**), securing unlawful killing conclusions at inquests concerning excessive use of state force and police misconduct (**Jimmy Mubenga** , **Hillsborough Inquests** and **Richard O'Brien**) and has secured several six figure compensation awards.

Fiona is an experienced negotiator and has a keen interest in alternative dispute resolution.

Recent and current cases include:

- **Anthony Grainger Inquiry**, ongoing. Fiona is instructed on behalf of the partner of Anthony Grainger in connection with the ongoing inquiry concerning his fatal shooting by Greater Manchester Police in 2012.
- **Undercover Policing Inquiry**, ongoing. Fiona is instructed on behalf of several women who were deceived into entering into relationships with undercover police officers and a child born of one of those relationships. She is also instructed on behalf of parents who have suffered the theft of their deceased children's identities to support officers' cover "legends".
- **R (on the application of City of London Police Commissioner) v Independent Office for Police Conduct** [2018] EWHC 2997 (Admin). Fiona acted for the interested party, Alfie Meadows, in a successful defence of the decision to institute gross misconduct proceedings against an officer in relation to a serious injury suffered by Alfie in the course of a student loan protest.
- **R (on the application of Green) v Independent Police Complaints Commission** [2016] EWHC 2078. A successful challenge to the outcome of an independent IPCC investigation on irrationality grounds.
- **The new Hillsborough Inquests**, 2016. Fiona held significant instructions on behalf of 77 of the bereaved families including taking a lead in the questioning of emergency response witnesses, representing individual families during phase 2 of the inquests and working within a core team preparing legal submissions. She is currently instructed in

the ongoing misfeasance group litigation.

- **A v Commissioner of Police for the Metropolis**, 2016. Fiona advised in this claim for assault and battery, false imprisonment and in respect of breaches of the HRA which began when Mr A was thrown through the glass front window of a barber shop by a police officer. The claim resolved with the payment of a substantial sum in damages to the claimant.
- **V v National Crime Agency (NCA)** 2016. Fiona advised in this claim for false imprisonment and malicious prosecution arising from a botched NCA surveillance operation and in which it was alleged that there was a wholesale failure to comply with the Code for the Identification of Offenders. The litigation resolved with the payment of a substantial sum in damages.
- Inquest touching upon the death of **Azezur “Ronnie” Khan**, Senior Coroner for Inner South London, 2016. 21-year old Ronnie Khan was caught in cross fire between rival South London gangs at a funeral in 2011. The inquest jury concluded that a catalogue of individual and systemic failures by the Metropolitan Police - in sharing information and in their risk assessments, planning and deployment of officers - significantly contributed to his preventable death.
- Inquest touching upon the death of **Logan Peters**, Devon & Cornwall Coroner, 2016. Following legal submissions, the Coroner directed the jury that 22-year old Logan Peters had been falsely imprisoned by police officers shortly before he was found hanged. The jury concluded that errors, omissions and failures to comply with the Police and Criminal Evidence Act together with the use of *“unreasonable, disproportionate and unnecessary force”* contributed to his death. Further, that an unauthorised strip search and the failure to address Logan’s complaint *“significantly contributed”*.
- **HJM v Commissioner of Police for the Metropolis**, 2015. The claimant recovered substantial damages in respect of her deception by an undercover police officer.
- **Kambana & Others v G4S**, 2014. Fiona represented the family of Jimmy Mubenga at the inquest. The jury concluded that he had been *“unlawfully killed”* whilst under restraint by G4S officers. Fiona was also instructed in the subsequent civil action which was compromised.
- **R (on the application of Rahman) v Independent Police Complaints Commission**, [2013] EWHC 4696 (Admin). Fiona acted for Mr Rahman in this successful judicial

review of an IPCC independent investigation report which led to the quashing of the report and ultimately the finding of a case to answer for gross misconduct against the relevant police officer.

- **Watson Woodhouse v. The Chief Constable of Cleveland**, 2013. Fiona secured £550,000 compensation for a firm of solicitors in a claim for malicious procurement of search warrants and misfeasance in public office.

Inquiries and Inquests

The representation of families at controversial inquests involving allegations of excessive force, malpractice and neglect is a mainstay of Fiona's practice.

Fiona's current and recent inquest and inquiry work:

- **Anthony Grainger Inquiry.** Fiona is instructed on behalf of the partner of Anthony Grainger in connection with the ongoing inquiry concerning his fatal shooting by Greater Manchester Police in 2012.
- **Undercover Policing Inquiry.** Fiona is instructed on behalf of several women who were deceived into entering into relationships with undercover police officers and a child born of one of those relationships. She is also instructed on behalf of parents who have suffered the theft of their deceased children's identities to support officers' cover "legends".
- Inquest touching upon the death of **Azezur "Ronnie" Khan**, Senior Coroner for Inner South London, 2016. 21-year old Ronnie Khan was caught in cross fire between rival South London gangs at a funeral in 2011. The inquest jury concluded that a catalogue of individual and systemic failures by the Metropolitan Police - in sharing information and in their risk assessments, planning and deployment of officers - significantly contributed to his preventable death.
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contributed to his death. Further, that an unauthorised strip search and the failure to address Logan's complaint "*significantly contributed*".

- Inquest touching upon the death of **Hannah Evans**, Senior Coroner for Warrington, 2016. The inquest jury found that Hannah's death, while a detained mental health patient, was contributed to by multiple failures in planning her care and ultimately in failing to maintain the designated supervision level.
- Inquest touching upon the death of **Jimmy Mubenga**, 2013. Fiona was junior counsel on behalf of the family of Jimmy Mubenga Following an 8-week hearing, the jury concluded he had been '*unlawful killed*' whilst under restraint by G4S officers.

Fiona is currently instructed in several private and Human Rights Act claims on behalf of bereaved families and has extensive experience of resolving such claims.

As a solicitor Fiona gained extensive experience in representing the families of those who have died in custody including Richard O'Brien (unlawful killing), Simon Allen (state neglect) and Kevin Jacobs (state neglect).

In 2006, Fiona was commissioned by the Hon Mr Justice Blake to prepare an opinion for his review of the controversial deaths at Deepcut Barracks.

Administrative and Public Law

Fiona has a specialist public law practice focusing upon decisions reached by the police and those responsible for police oversight together with public law issues arising from her involvement in inquests and inquiries.

Recent cases include:

- **R (on the application of City of London Police Commissioner) v Independent Office for Police Conduct** [2018] EWHC 2997 (Admin). Fiona acted for the interested party, Alfie Meadows, in a successful defence of a decision by the IOPC to complete gross misconduct proceedings against an officer in relation to a serious injury suffered by Alfie when he was struck by a police officer's truncheon in the course of a student loan protest.
- **Northern Ireland Human Rights Commission's Application for Judicial Review**,

Re [2018] HRLR 14. Fiona acted for Humanists UK, led by Caoilfhionn Gallagher QC in the Supreme Court who concluded that the Northern Ireland arrangements denying access to abortion in cases of rape, incest and even fatal foetal abnormality were in violation of Article 8 of the European Convention on Human Rights.

- **R (L) v Commissioner of Police of the Metropolis** [2016] EWHC 2880 (Admin). A successful application for permission and interim relief in relation to a decision to permit a police officer to retire and thereby escape the reach of disciplinary proceedings.
- **R (on the application of Green) v Independent Police Complaints Commission** [2016] EWHC 2078. A successful challenge to an independent IPCC investigation on irrationality grounds.
- **R (Rahman) v Independent Police Complaints Commission** [2013] EWHC 4696 (Admin). A successful judicial review of an IPCC's independent investigation report which led to the quashing of the report and ultimately the finding of a case to answer for gross misconduct against the relevant police officer.

Fiona's work on behalf of bereaved families has also led to her involvement in a number of public law cases as a solicitor including **R (Hurst) v HM Coroner for North London** [2007] 2 AC 189 (which concerned the coronial jurisdiction to investigate Article 2 systemic failings following the conclusion of a related homicide prosecution and the temporal reach of the Human Rights Act) and **R (Keith Lewis) v HM Coroner for Mid and North Division of the County of Shropshire** [2010] 1 WLR 1836 (which concerned the means by which jury verdicts should be elicited post-Middleton).

Similarly, her work on behalf of victims of police misconduct led to her involvement in successful challenges to chief officers, the DPP and IPCC including in relation to a decision to permit a senior police officer to retire and thus escape the reach of misconduct proceedings (**R (Coghlan) v The Chief Constable of Greater Manchester Police** [2005] ACD 34) and to a decision by the DPP not to prosecute police officers (**R v DPP ex parte O'Brien**, RCJ 1997).