

## Alison Gerry



Call: 2003

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### Profile

From the beginning, Alison's practice has had at its heart state accountability for those in detention, those who claim to have been abused, and those who have been discriminated against. This has seen her practice develop from mainly mental health and inquest work, to expand to include prison law, actions against the police and Court of Protection. She now has extensive experience of appearing in wide variety of jurisdictions, including civil, administrative, coronial and the Court of Protection.

Alison plays the saxophone and when time allows she also sings in her community choir. She likes to keep fit and practices yoga as well as being a regular runner. Alison is also keen to keep learning and is currently studying part time for a degree at Birkbeck University in Politics, Philosophy and History.

### What directories say

Alison is ranked as a Band 1 junior in Police Law: Mainly Claimant by Chambers and Partners UK 2024.

*"Alison's client care skills are second to none. She is very committed and fights passionately for her clients."* - Legal 500 2024

*"Alison is extremely knowledgeable, calm, incredibly detailed and nuanced. She is empathetic with clients, an impressive advocate, and my go-to on really tricky cases with intricate twists and turns."* - Chambers and Partners 2024

*"She has a wise approach to cases and leaves no stone unturned in her analysis."* - Chambers and Partners 2024

*"She is very hands-on, proactive and good to work with. She can assimilate large amounts of information and is able to think around a problem and come up with novel solutions."* - Chambers and Partners 2023

*"She is absolutely formidable and never gives up; when you are against her you really have to work hard."* - Chambers and Partners 2023

*"Alison is careful, measured, very clear as an advocate and extremely effective as a result."* - Legal 500 2023

*"She is a really thorough barrister, really good with complex medical and expert issues, and manages to simplify the unsimplifiable in a persuasive way."* - Chambers and Partners 2022

*"Super bright - she can get to the issue quickly and is great at digesting large volumes of information."* - Chambers and Partners 2022

## **Education**

LLM: International Human Rights Law (Distinction)

LLB: Law (First Class)

Princess Royal Scholarship Inner Temple

## **Related practice areas**

Actions Against the Police and Public Authorities

Court of Protection & Mental Health

Inquests and Public Inquiries

Administrative & Public Law

## **Prison Law and Criminal Justice**

Alison regularly represents prisoners in civil claims as well in judicial reviews and in parole related matters. She was junior counsel in the successful group litigation claim against the Home office concerning the treatment of opiate dependant prisoners, in which the Home Office conceded liability in negligence, breach of human rights and assault. She has also

conducted civil trials on behalf of prisoners against prison officers, including in particular in assault, negligence and breach of human rights.

Alison has also conducted a number of appeals against sentence and conviction in the Court of Appeal.

## Actions Against the Police and Public Authorities

Alison is currently instructed as junior counsel in the claim by the victims of the Hillsborough disaster in a group action against the South Yorkshire and West Midlands Police for misfeasance in a public office.

Recent high court trials include:

(1) (1) MLIA (2) CLEL v Chief Constable of Hampshire (2017)

Case against the police for failure to effectively investigate and protect against domestic violence and abuse

El Hussein v. Commissioner of Police for the Metropolis (2016)

Claim against the police where the police had mis-identified the claimant as a suspect who they had under surveillance. Due to the mis-identification the claimant was subjected to an armed stop and restraint.

(1) Mohidin (2) Khan (3) Hegazy (Claimants) v Commissioner of Police of the Metropolis (Defendant) & (1) Mark Jones (2) Steven White (3) William Wilson (4) Neil Brown (Third Parties) (2015)

Claim against the police for assault, false imprisonment and racial discrimination.

(1) NTC (2) DSC (a child by his litigation friend NTC) (3) SSC (a child by her litigation friend) (4) SRC v Commissioner of Police of the Metropolis (2015)

Claim by a mother and her two young children and her sister against the police for subjecting them to an armed intervention. The police wrongly identified the claimants as being in a flat where a suspect with a gun was being sought.

## Mental Health and Court of Protection

Alison is regularly instructed by the Official Solicitor to act on behalf of individuals deprived of their liberty in care homes, as well as on behalf of family members and local authorities.

She is a regular contributor to the Legal Action Group Court of Protection update and is a co-author of the **Butterworths New Law Guide: Mental Capacity Act**.

Alison is currently the Head of the Doughty Street Inquest and Inquiries Team.

## Inquiries and Inquests

Alison has extensive experience of representing families in inquests involving deaths in police custody and police related deaths, deaths in prison as well as in psychiatric hospital.

Examples of recent cases include:

The death of women who died while she was detained in prison where she had shown clear and extreme signs of risk and distress. The Coroner criticised the actions and inactions of the prison staff. Read about this in the press [here](#).

The death of a very popular teacher and father who at the time of his death was suffering with mental illness and was receiving inpatient treatment. The Coroner in particular criticised the lack of involvement of the family in the weeks prior to his sad death.

The tragic death of a man who took his own life while waiting to be assessed in A&E following his having taking an overdose. The Coroner found numerous and serious failings on the part of the hospital. Read about this in the press [here](#).

Alison also represented one of the victims of the terrorist attack in In Amenas in Algeria. In reaching findings the Coroner highlighted flaws in security at the gas plant site. Read about this in the press [here](#).

## Administrative and Public Law

Alison is regularly instructed in prison, police and mental health related judicial reviews. Recent examples include the successful challenge to an Inquest verdict ( R (on the application of Rossana Hair) (Claimant) v HM Coroner for Staffordshire (South) (Defendant) & ors and the successful (on appeal) challenge to a Category A prisoner's categorisation (R (on the application of Mackenzie) v Secretary of State for Justice).

## International Law

Alison has experience of Constitutional law, in particular in cases concerning the Caribbean. In addition to her death penalty work Alison has been instructed in cases in the Turks and Caicos Islands (*R (on the application of Michael Misick) v Secretary of State for Foreign & Commonwealth Affairs*) and in Belize [Civil Appeal No.07 of 2011].

Alison has experience in applications to the European Court of Human Rights, as well as before the Inter American Court of Human Rights. Notable cases before the European Court of Human Rights include an application on behalf of a child who had been made the subject of a mandatory and indefinite Sexual Offences Notification Order, and on behalf of a mentally disordered offender who is seeking to appeal his life sentence. Alison was also junior counsel in *Boyce & Joseph v R* [2005] 1 AC 400 (challenge to the mandatory death penalty in Barbados before the Inter American Court of Human Rights in Costa Rica).

Alison was also junior counsel in a group litigation claim against Trafigura, brought by nearly 30,000 claimants in the Ivory Coast, for personal injuries following the dumping of “toxic waste” at various sites in Abijan, Ivory Coast. Alison was also junior counsel in a group litigation claim against Trafigura, brought by nearly 30,000 claimants in the Ivory Coast, for personal injuries following the dumping of “toxic waste” at various sites in Abijan, Ivory Coast.

Alison has also appeared in the Privy Council in death penalty cases, including in *Boyce & Joseph v R* (2005) 1 AC 400 (challenge to the mandatory death penalty in Barbados) and successfully before the Inter American Court of Human Rights in Costa Rica. She is also now advising African lawyers who are bringing similar challenges to the death penalty in Malawi, Uganda, Nigeria, Tanzania, Kenya and Zambia.

## Product Liability and Group Actions

Alison also has expertise in Group Litigation and was junior counsel in the successful group litigation claim against the Home office concerning the treatment of opiate dependant prisoners, in which the Home Office conceded liability in negligence, breach of human rights and assault.

Alison was also junior counsel in a group litigation claim against Trafigura, brought by nearly 30,000 claimants in the Ivory Coast, for personal injuries following the dumping of “toxic waste” at various sites in Abijan, Ivory Coast.