



Barrister profile

Leslie Thomas



Leslie Thomas has appeared as a highly recommended barrister and listed as a leader at the bar and in the ranked barristers index in Chambers and Partners directory since 2001

Chambers UK 2012 stated that: "Leslie Thomas is undoubtedly a first choice junior for instructing solicitors in Claimant police law cases. It is said that he is *"formidable opponent"*, he is strong on cross examination and someone who is *"fearless and takes no prisoners."*

Chambers UK 2011 said that: "Leslie Thomas stands out in particular for his fantastic jury trial skills and for the fact that he *"never gives up until; every last avenue has been explored"*.

Chambers UK 2010 recommended Leslie Thomas as a civil liberties practitioner *"thanks to his fluid advocacy"*. In the police law entry it is noted that: Leslie Thomas specialises in false imprisonment, malicious prosecutions, misfeasance and deaths in custody, and is considered *"one of the best advocates out there: if you have a fight on your hands you should definitely go to him."*

Chambers UK 2009 recommended Leslie Thomas as a civil liberties practitioner: *"it is a pleasure to watch him in front of a jury"*, say solicitors as *"he is persistent and tenacious"*. In the Police Law entry of the same year he is described as *"a lawyer whose flame burns brightly"*...he is *"very much an advocate who has a real sense of how to deal with a jury and how to use witnesses to get his point across to a jury effectively"*. Instructing solicitors also appreciate *"the aggressive cross examination and determination to always fight his corner"*

Chambers UK 2008 noted that: "Leslie Thomas is a specialist in the torts against the police and handles all aspects of police litigation. He has acted on some of the highest profile cases in the area and has earned a reputation as someone who is *"dedicated to his clients – it is more than just a job to him, it is his passion."* Thomas is a *"persuasive advocate who is great at communicating a case to a jury in a way that they will understand"*

Chambers UK 2007 entry reads *"Street fighter"* Leslie Thomas who was unwaveringly devoted to this area: *"Like a dog with a bone, he will not let go and will not be intimidated."* His clear passion for the cause makes him *"a powerful, persuasive, enthusiastic advocate – a secret weapon in jury trials."* *This is not a job to him, one commentator noted, but rather "his niche and his love"*. He is particularly noted for his inquest work... He particularly excels in restraint deaths and fatal shootings."

Chambers UK 2006 noted that Leslie Thomas *"puts the fear into police officers. The phenomenal speed with which he generates work and the thoroughness with which he does it is an example to many"*.

Chambers UK 2005 said of Leslie Thomas that he was the *"man to go to if you want someone to shout at the police"* and his *"fantastic death in custody reputation"* was remarked upon.

Chambers UK 2003-2004 Leslie was noted to be the 'star of the set'.

From The Legal 500 Directory:

2011. In addition to being listed as a leading junior, Leslie is described as follows: *"The fearless and formidable"* Leslie Thomas has a superb reputation for police actions and inquest and prison work and is rated for his *"excellent cross examination skills"*.

2010 - Garden Court Chambers 'has some outstanding individual barristers'. Counsel 'fight their corner fearlessly and at the same time exercise good judgment'. Leslie Thomas is *"excellent with coroners, clients and juries, and is a very good advocate"*.

2009 Noted as a *"strong choice for civil actions against the police."*

2008 Said to inspire a *"high level of confidence in his instructing solicitors"* and recommended as a leading junior.

Background

Leslie started at Wellington Street Chambers and has been with Garden Court Chambers since 1990. Before that he worked as a lecturer at Westminster and Kingston Universities teaching employment law, criminal law and the law of evidence.

Practice

Leslie has an extensive paperwork and trial practice. He is a leading junior who handles very many difficult and complex police jury trials and is instructed nationally.

(1) Police Law: including false imprisonment, assault and battery, trespass to goods and property, malicious prosecutions, police harassment and misfeasance in public office. Leslie also advises on police complaints procedure, wrongful interference with goods and seizure and possession of goods by the police.

(2) Inquest law: Leslie is a very well-known expert in the field of Coronial law having represented many bereaved families at inquests into the deaths of family members, in particular where the state is involved. He has a particular expertise in deaths where the ECHR is engaged, restraint deaths and police shootings. He has a close working knowledge of the expert and medical literature surrounding the debate concerning positional/postural asphyxia and CS spray and its interrelationship with deaths in custody. Leslie has also been instructed as counsel to the inquest in some recent notable inquests.(see notable cases below)

(3) Public Law – Leslie has many years experience in judicial review proceedings and he is well able to deal with public law challenges involving alleged breaches of ECHR rights. His main areas of work in this respect arise out of inquests and challenges to the IPCC and prisoners' rights. (4) Civil Claims - Leslie's inquest practice often overlaps with his civil practice in claims involving the state, police, prisons, hospitals and other public authorities. Strong human rights element to civil claims practice, particularly exploring issues surrounding the 'Right to Life' Art 2 ECHR. Public law and Judicial Review practice surrounding powers of public bodies such as IPCC and police forces. Fast-developing practice on the interplay of policing and human rights, privacy and access to data.

(4) Clinical Negligence – Leslie has been doing clinical negligent work for the last 20 years predominantly doing Claimant work. He is an excellent trial advocate in clinical negligent sphere. He is an exceptional forensic cross examiner of medical experts.

Leslie's practise is almost exclusively acting on behalf of Claimants or bereaved families. As a result most of his work is publically funded or by conditional fee agreements. He has experience of making detailed representations to the LSC regarding funding in relation to specialist areas.

Current Work

Leslie is currently instructed on the following high profile cases:

Mark Duggan

Year of Call
1988

Email Address
lesliet@gclaw.co.uk

Telephone
020 7993 7862

Education
LLB (Kingston)

Practice Areas:
Leslie Thomas is a member of the following Practice Areas:
- Civil Law
- Claims Against The Police & Public Authorities
- Inquests
- Public & Administrative Law

Garden Court Chambers
57 - 60 Lincoln's Inn Fields
London WC2A 3LJ
Tel 020 7993 7600
Fax 020 7993 7700



Barrister profile

Leslie Thomas



On behalf of the family in relation to the Mark Duggan inquest who was shot by police on 4 August 2011. Following Mr Duggan's death there was widespread rioting across major cities in England.

http://en.wikipedia.org/wiki/Death_of_Mark_Duggan

<http://www.guardian.co.uk/uk/mark-duggan>

www.independent.co.uk/news/uk/crime/a-dead-man-a-crucial-question-should-police-have-shot-mark-duggan-2334133.html

Azelle Rodney

On behalf of the family of Azelle Rodney in the public Inquiry into the police shooting of Mr Rodney in 2005.

www.bbc.co.uk/news/uk-england-london-11482532

<http://www.guardian.co.uk/uk/2010/oct/06/azelle-rodney-police-shooting-evidence>

www.guardian.co.uk/uk/2006/dec/07/ukcrime.patrickbarkham

Arsema Dawitt

Medihani v HM Coroner of Inner South District OF Greater London Leslie appears on behalf of the family in relation to a judicial of review of the Coroner's decision not to open an Article 2 ECHR enquiry into the death of a 15 year old girl stabbed to death by her boyfriend following her reporting her fear of him and threats made by him to the police

<http://www.guardian.co.uk/uk/2010/oct/19/arsema-dawit-murder-police-failings>

<http://www.telegraph.co.uk/news/uknews/2071288/Stabbed-teenager-Arsema-Dawit-was-just-moments-from-safety.html>

<http://www.bbc.co.uk/news/uk-england-london-11574161>

Kassa Osebu

On behalf of the family of Kassa Osebu who died in HMP Leeds in September 2007. This is an inquest where several police officers are accused of discrimination and bullying of prisoners.

http://www.thetelegraphandargus.co.uk/news/local/localbrad/9039387.Police_inquiries_police_will_delay_inquest/

Sean Rigg

On behalf of the family of Sean Rigg, who died in 2008 in custody at in Brixton Police station following restraint.

<http://www.seanriggjusticeandchange.com/>

<http://www.morningstaronline.co.uk/index.php/news/content/view/full/94291>

<http://www.bbc.co.uk/news/uk-england-london-11047495>

Notable Cases

Police Cases

• **Clifford v Hertfordshire Police [2011] EWHC 815 (QB)** Claim against the police for malicious prosecution and misfeasance in public office following the Claimant being charged with offences relating to child pornography. The Queen's Bench division found that the Defendant's police officer had no honest belief in child pornography charges and that he had caused them to be brought for an improper reason. The Claimant was awarded damages for distress and psychiatric and non-psychiatric injury to his feelings.

<http://www.telegraph.co.uk/technology/news/8422200/Police-face-750k-bill-for-false-Operation-Ore-charges.html>

<http://www.independent.co.uk/news/uk/home-news/man-wins-damages-over-porn-charges-2259547.html>

• **R (On the Application of Rutherford) v Independent Police Complaints Commission [2010] EWHC 2881 (Admin)** Administrative Court held in the absence of specific provision to the contrary, a police officer was not required to have in his mind a legally accurate identification of the precise legal power under which he was acting for his exercise of that power to be lawful.

• **The Commissioner of the Police of the Metropolis v Mohamed Raissi [2009] QB 564.** The Court of Appeal explored the nature of the reasonable suspicion that an officer must hold when, following a briefing from a senior officer, he or she makes an arrest under PACE. The finding that the reasonable suspicion threshold was not met was upheld

• **Buikie v Chief Constable of West Yorkshire Police [2009] EWCA Civ 971** Application of section 329 Criminal Justice Act in Civil proceedings

• **Mohamed Raissi v The Commissioner of the Police of the Metropolis [2007] EWHC 2842** Unlawful arrest of an individual shortly after the 9/11 in connection with the terrorist attack on the Twin Towers.

• **Dudley Fleming V Chief Constable of Sussex [2004] EWCA Civ 643** A county court judge had erred in his determination of costs pursuant to CPR 44.3 by taking into account the effect of a costs order on the claimant's ability to recover in full the damages awarded to him.

• **Cora Rosiene Morrison V Chief Constable of West Midlands Police [2003] EWCA Civ 271**

• **John Michael Wilson V Commissioner of Police For The Metropolis [2002] EWCA Civ 434** Assault by police following an England Euro '96 football game. Claimant assaulted in Trafalgar square by a police officer with a baton. Captured by CCTV.

• **Joseph Igwemma V Chief Constable of Greater Manchester Police [2001] EWCA Civ 953** A judge could allow a jury to alter its verdict even after it had been discharged, but only where the interests of justice made it appropriate to do so. The mere fact of the discharge of a jury was not critical; the guiding principle was fairness and justice

• **Lamothe v Metropolitan Police [1999] All ER (D) 1154** On the illegitimacy of secret hearings brought by the police under the CPR)

• **Hill v Commissioner of Police for the Metropolis [1998] EWCA Civ 1675** Leading case on Damages for false imprisonment, assault and malicious prosecution

• **Winyard v Metropolitan Police (1996)** Assault, false imprisonment and malicious prosecution.

ECHR



Leslie Thomas has extensive experiences in the ECHR in Strasbourg. He has been junior counsel in the following ECHR cases. He has drafted the applications on behalf of the applicants and advised the solicitors on the procedure.

- **Bubbins v. The United Kingdom (2005)**, Application No. 50196/99, Judgment of 17 March 2005 Police shooting and inquest. Alleging violations of human rights. Breach of Right to Life Art 2, and breaches of Art 13
- **Cleo Scott v UK (2005)** Application no. 62688/00 sitting on 25 August 2005 Death in custody alleging violations of human rights, breaches of art 2 right to life, article 3 inhuman and degrading treatment
- **Douglas-Williams v United Kingdom (2002)** Application no. 56413/00 sitting on 8 January 2002 Death in custody alleging violations of human rights, breaches of art 2 right to life
- **Brady v UK (2000)** Application no. 55151/00 Decision of 3 April 2001 Police shooting alleging violations of human rights, breaches of article 2 right to life.

Judicial review

- **R (On The Application Of HM Coroner For East London) (Claimant) V Secretary of State for Justice (Defendant) & (1) Susan Sutovic (2) Velisa Sutovic (3) Marko Sutovic (Interested Parties) [2009] EWHC 1974 (Admin)** Judicial review of the defendant secretary of state's decision not to reissue a licence for the exhumation of the body of the deceased
- **R (On The Application Of Ralph Allen) (Appellant) V HM Coroner For Inner North London (Respondent) & Camden & Islington Mental Health & Social Care NHS Foundation Trust (Interested Party) [2009] EWCA Civ 623** Engagement of article 2 ECHR. Obligations on coroner.
- **R (On The Application Of Lin & Ors) V Secretary Of State For Transport [2006] EWHC 2575 (Admin)** Judicial review of the decision of the Secretary of State for Transport not to hold a public inquiry into the Potters Bar rail crash.
- **Louie Clayton (Claimant) V HM Coroner For South Yorkshire (East District)(Defendant) & (1) Chief Constable Of South Yorkshire (2) PC Cross & 3 Ors(Interested Parties) 2005] EWHC 1196 (Admin)** When a coroner gave directions to a jury during an inquest, a majority direction should be given before a Watson direction. If the coroner decided that a Watson direction was appropriate, adequate time should be given for the Watson direction to take effect so that the jury did not feel unduly pressured to reach a verdict.

Inquests

- **Joshua Jones inquest 2011 (Counsel to the inquest)** death of 2 year old child
<http://www.bbc.co.uk/news/uk-england-merseyside-16271929>
<http://www.dailymail.co.uk/news/article-2076691/Joshua-Jones-inquest-Toddlers-death-stepfather-avoided.html>
- **Andrew Markland 2011** Double shooting by the police of two men in Winchester. This inquest raised Article 2 Right to life issues and issues regarding secret evidence in inquests.
<http://www.bbc.co.uk/news/uk-england-hampshire-15154156>
- **David Grewcock 2011** Death of 19 year old at HMYOI Glen Parva following known threats of suicide.
<http://www.thisisleicestershire.co.uk/Teenage-inmate-died-suicide-watch/story-13320906-detail/story.html>
- **Jonny Riley 2010** Death in prison of prisoner on first night in custody on methadone detoxification.
http://www.eveningstar.co.uk/news/coroner_calls_for_action_after_prisoner_s_suicide_1_544101
- **Andrea Adams 2009 (Counsel to the inquiry)** Death of young woman in local authority care.
<http://www.guardian.co.uk/society/2010/jul/08/andrea-adams-care-leaver-death-inquest>
- **Michael Bailey 2009** Death of a mentally ill man at HMP Rye Hill on 24 March 2005. Critical narrative verdict given by jury.
<http://www.telegraph.co.uk/news/uknews/4573723/Mentally-ill-prisoner-killed-himself-over-shameful-lack-of-beds.html>
<http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/15>
- **Godfrey Moyo 2009** Death in prison following restraint of an epileptic remand prisoner, jury's narrative verdict extremely critical of actions of staff involved in care of the Deceased.
<http://www.telegraph.co.uk/news/uknews/law-and-order/5761839/Epileptic-prisoner-died-after-being-held-down-by-guards.html>
<http://www.irr.org.uk/2009/july/ha000033.html> • Andrew Winyard 2009 Death of prisoner on dirty protest at HMP Wandsworth.
- **Mohamed Mudhir 2009** Death in prison following segregation in special cell where much of the deceased's treatment was captured on CCTV. Jury's narrative verdict was extremely critical of prison and medical staff including multiple failures in his care.
http://www.yorkshireeveningpost.co.uk/news/latest-news/central-leeds/the_leeds_prisoner_treated_worse_than_a_dog_1_2207725
- **Leon Laga 2008** Death of mentally ill man in active psychiatric care and treatment.
<http://www.psychminded.co.uk/news/news2008/October08/NHS-psychiatrist-criticised-after-patient's%20death006.html>
<http://www.whub.org.uk/HMCoroners/Public/Documentation/NarrativeVerdict.aspx>
- **Wayne Reid 2008** Death in prison following which the jury found that that the prison authorities did not do all that could reasonably be expected of them to prevent the risk of harm to the deceased.
<http://news.bbc.co.uk/1/hi/england/7475989.stm>
- **Kurt Howard 2008** Death of psychiatric patient, under restraint, detained in psychiatric unit. Critical verdict.
http://news.bbc.co.uk/1/hi/uk_politics/wales/7422184.stm
- **Martin Green 2007** Death in prison by dehydration/malnutrition. Jury's narrative verdict was highly critical of medical and prison staff involving multiple failures and inadequacies in his treatment and care.



http://news.bbc.co.uk/1/hi/programmes/politics_show/7202286.stm

• **Shahid Aziz 2007** Death of a prisoner at the hands of his cell mate with a known history of violence against other prisoners in HMP Leeds. Issues of cell sharing and risk assessment raised. Critical verdict returned.

<http://www.guardian.co.uk/uk/2007/may/18/ukcrime.prisonsandprobation1>

http://news.bbc.co.uk/1/hi/england/west_yorkshire/6667055.stm

• **Linda Burt 2007** Death following the arrest and restraint by police officers of a 49 year old woman in West Midlands. Critical verdict including the jury finding that the arrest was not justified

<http://www.birminghammail.net/news/top-stories/2009/10/16/linda-burt-erdington-police-custody-death-inquest-jury-blames-police-97319-24945608/>

• **Stephen Lloyd 2006** Death of mentally ill prisoner at HMP Frankland. Critical verdict.

<http://news.bbc.co.uk/1/hi/england/3632601.stm>

• **Jason Wardle 2006** Death of a 29 year old naval officer following a standoff with armed police. Issues of anonymity raised.

http://inquest.gn.apc.org/pdf/2006/opening_of_Jason_Wardle_inquest.pdf

• **Mandy Pearson 2006** Death of a young woman with well documented mental health and self harm issues at HMP Newhall in 2004. Critical verdict.

http://inquest.gn.apc.org/pdf/2007/mandy_pearson_verdict.pdf

• **Keith Larkins 2005** Death of a mentally ill man following police shooting.

<http://news.bbc.co.uk/1/hi/england/london/2984660.stm>

<http://www.guardian.co.uk/uk/2005/jun/28/ukcrime.rosiecowan>

<http://www.dailymail.co.uk/news/article-183959/Shot-man-hit-chest-stomach.html>

• **Petra Blanksby 2005** Death in HMP New Hall of a young woman following numerous acts of self harm. Narrative verdict including comment that prison was not a suitable place for the Deceased and that the sexual and emotional abuse she suffered while in the care of social services had contributed to her fragile mental state.

<http://www.guardian.co.uk/society/2008/feb/03/prisonsandprobation.mentalhealth>

http://inquest.gn.apc.org/pdf/2008/INQUEST_press_release_petra_blanksby_inquest_verdict.pdf

<http://www.telegraph.co.uk/comment/3556849/More-prisons-are-not-the-answer.html>

• **Paul Day 2005** Death at HMP Frankland of a vulnerable prisoner following a dirty protest. Issues of protection of prisoners and bullying raised in this inquest.

<http://www.guardian.co.uk/uk/2005/mar/03/prisonsandprobation.ukcrime>

<http://www.innocent.org.uk/prisongrasses.html>

• **Fosta Thompson 2004** Death following police shooting.

<http://news.bbc.co.uk/1/hi/england/bristol/4415958.stm>

<http://news.bbc.co.uk/1/hi/england/bristol/3034809.stm>

• **Families of the victims of the New Cross fire 2nd inquest 2004** One of the longest inquests in British Coronial history. The 1981 New Cross fire was a landmark in race relations in this country. It was one of the factors, which was attributed to the 1981 Brixton riots and other disturbances up and down the country. There were significant criticisms of the way the Metropolitan Police service conducted the initial investigation by sections of the black community. It was thought that there was a cover up of a "race hatred crime".

http://en.wikipedia.org/wiki/New_Cross_Fire

<http://www.bbc.co.uk/news/uk-12182927>

• **Christopher Alder 2000** Death in police custody, verdict of unlawful killing by reason of gross negligence.

<http://news.bbc.co.uk/1/hi/894587.stm>

• **Nathan Delahunty 1999** Verdict of neglect following police restraint.

<http://www.independent.co.uk/news/custody-death-police-accused-1076639.html>

<http://www.inquest.gn.apc.org/pdf/1999/Nathan%20Delahunty%20Inquest%20Verdict%20Due%2026%20Jan%201999.pdf>

• **James Brady 1999** open verdict, following a fatal police shooting in Newcastle.

<http://www.guardian.co.uk/uk/2001/jul/18/ukcrime.ukguns>

<http://inquest.gn.apc.org/pdf/1999/James%20Brady%20Inquest%20Opens%207%20April%201999.pdf>

• **Ibrahim Sey 1998** Verdict of unlawful killing following restraint; this case was the first death in police custody in the UK following introduction of CS Spray by UK police forces in 1998.

<http://www.publications.parliament.uk/pa/cm/199798/cmhansrd/vo971111/text/71111w01.htm>

• **Michael Fitzgerald 1998** Death following police shooting.

• **Wayne Douglas 1997** Death Following restraint/positional asphyxia of young black man which sparked the 1995 Brixton riots

<http://inquest.gn.apc.org/pdf/1997/Wayne%20Douglas%20High%20Court%2017%20July%201997.pdf>

http://en.wikipedia.org/wiki/1995_Brixton_riot



Barrister profile

Leslie Thomas



Beyond Practice

Leslie undertakes a wide range of teaching and training commitments and is generous with his experience. He is well regarded as having an 'open door' to instructing solicitors.

His voluntary work includes sitting on the Law Society Panel for the reform of inquests. He is an active member of the INQUEST Lawyers Group and was on the management committee for INQUEST and a former director of the Civil Liberties Trust and Liberty. He was also the Chair of Central London Community Law Centre from 1990 – 2009. He still sits on the management committee of the law centre. He is also a co-opted member of the London Borough of Lewisham in Public Standards Committee.

Media

Leslie is one of the featured advocates in the highly acclaimed film *Injustice* by Ken Fero. During the film he was followed on the case of Ibrahim Sey the first fatality in this country following the introduction and use of CS Spray.

<http://www.injusticefilm.co.uk/>

<http://www.wsws.org/articles/2001/may2001/hrw3-m31.shtml>

Publications

Books

Co-author of *Inquests – A practitioner's Guide* (LAG 2nd edition August 2008)

<http://www.lag.org.uk/Templates/System/Publications.asp?NodeID=89159&Mode=display>

Articles

Leslie writes regularly for the legal press including *Legal Action* in which he co-authors the regular column *Recent Developments in Inquest Law*. Training Leslie not only contributes to the *Civil Team Seminar* programme in Chambers but lectures on courses organised by many other training providers and is frequently invited to speak on the key developments in police and inquest law for a variety of audiences.

Professional Memberships

- PALG
- INQUEST

Other Activities

Leslie plays the tenor saxophone and is a keen linguist, speaking Russian, French and Spanish. He is recognised in Debretts 'People of Today' 2008, 2009, 2010 and 2011.

Profile updated January 2012