



GARDEN COURT CHAMBERS

Allison Munroe

YEAR OF CALL: 1992



Allison has a mixed practice specialising in family law, with particular reference to public law and children, Inquests and Inquiries and Crime. Her practice also involves education law, specifically local authority procedures and practices in the field of education provision and services for young people, especially those in care or who have special needs

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FAMILY LAW: CHILDREN'S LAW

Allison is a highly experienced family practitioner conducting cases in the High Court on a regular basis. She undertakes complex public law and adoption matters involving non-accidental injuries and serious sexual and physical child abuse. Allison has also represented parents in particular in complex medio-legal matters involving withdrawing of medical care. She brings her considerable experience as a criminal barrister to cases involving alleged radicalisation and those involving security issues.

Allison has throughout her career had a particular interest in mental health and very often represents those suffering from mental health impairment or learning disability and has developed a particular expertise in this area.

Allison is also very experienced in representing parents with physical disabilities, in particular those with visual and hearing impairment.

Allison has expertise in cases that have an immigration or international dimension and has been instructed in cases involving unaccompanied minors, parents and children with immigration status issues. This has involved dealing with the interplay between family and immigration law and, specifically, removing children from the jurisdiction to non-convention countries.

Allison is also called upon to advise family solicitors whose clients are facing potential criminal proceedings.

NOTABLE CASES

DECLARATION OF CEILING ON MEDICAL CARE AND INTERVENTION

Fact Finding: Neutral Citation Number: [2017] EWHC 370 (Fam)

and Neutral Citation Number: [2018] EWHC 1031 (Fam)

Representing the mother, who herself had complex needs. The case involved highly emotive and complex issues surrounding care proceedings for a child with a variety of life shortening illnesses. A number of NHS Trusts were also involved with regards to the proceedings seeking declarations re. life prolonging treatment and resuscitation.

RADICALISATION

Re X (2018) Central Family Court

Representing Mother in care proceedings where it was alleged that she and her husband were part of an extremist group.

A Local Authority v X, Y and Z (Permission to Withdraw) [2017] EWHC 3741 (Fam)

Representing mother. The father had been convicted of terrorism offences and the LA had initially sought to remove the children from the care of the mother, but eventually withdrew the proceedings.

ADOPTION

Re (2017) (Milton Keynes Family Court)

Representing grandmother. Complex contested care proceedings. The LA and Guardian recommended a placement order. Successfully argued against these and that the new born child should be placed with the grandmother.

Permission to oppose adoption (2017) (Central Family Court)

Allison represented the father in complex proceedings involving permission to oppose adoption and a contested adoption hearing. Successfully obtained leave to oppose the adoption.

Re AW (2013)

AW (A Child - Application to Revoke Placement Order - Leave to Oppose Adoption) [2013] EWHC 2967 (Fam)
Acting for young vulnerable mother, on the parent's application to oppose an adoption order.

VULNERABLE PARENTS AND ADULTS

Mental Health and Care Proceedings

Re T (2016/17)

Care proceedings. Acting for the respondent father of six children. The mother has a history of bi- polar disorder, and learning difficulties. There was a ground rules hearing in the matter to consider how the mother should give evidence and how advocates should put their questions to her. The case involved consideration of her ability to understand and manage her illness and retain care of the children. The father put himself forward as part of her support network. Having heard the parents give evidence, the Judge acceded to the application that there should be a rehabilitation plan put in place.

PARENTS WITH PHYSICAL DISABILITIES

2018 Deaf Parents

Acted on behalf of mother. Both parents were profoundly deaf, with added mental health illnesses, on the part of the father. The older children were heavily involved in gang culture.

NON-ACCIDENTAL INJURIES

Re (2017)

NAI on new born baby child removed. Medical evidence exonerated the parents and baby returned.

Re K (2013)

Acted for the mother. The case involved serious NAHI. Successfully argued that there should be no findings against the mother.

Re D (2011)

Acted for the father in High Court proceedings, with concurrent criminal trial. There were serious NAIs on the toddler, including broken tibia, clavicle, extensive bruising and cigarette burns. Following acquittal at criminal trial, it was successfully argued in the High Court that the local authority should withdraw the care proceedings.

Re G (2010)

Acted for the mother in care proceedings involving a serious non-accidental head injury (NAHI). The baby would have on-going developmental delays as a result of the injuries. Allison successfully argued that there should be no findings against the mother and, consequently, the baby and older child were returned to her mother.

Re B (2010)

Serious NAI, including fractures to ribs and bites over the baby's body.

SEXUAL ABUSE

In The High Court, Family Division

Neutral Citation Number: [2018] EWHC 644 (Fam)

The matter involved: Family Proceedings Fact Finding hearing concerning extremely serious allegations of rape and sexual assault allegedly perpetrated by the father against a teenage girl, with ramifications regarding his wish to care for his own children.

Concurrent criminal proceedings. A criminal trial earlier in the year concluded with a hung jury, and a re-trial ordered.

Successfully represented the father at the family fact finding, where the same witnesses were called who gave evidence in the criminal trial. The Judge made no findings against the father and the children were returned to the parent's care.

Re R (2013)

Care proceedings involving a child who made serious allegations of sexual abuse against her father. The child had sustained physical injuries. The expert evidence supported the father's contention that the mother had inflicted the injuries in order to set him up.

Re T (2010/11)

Inter-generational sexual abuse case within a large extended family.

PLACEMENT OUTSIDE THE JURISDICTION

Re M (2010)

Represented a mother in the High Court. The case involved cross-cultural issues and removal from the jurisdiction. An English mother, converting to Islam, sought to relocate to the United Arab Emirates (UAE) with her new husband. Both the child's English father and paternal grandmother opposed this but leave to remove the child permanently from the jurisdiction was granted to the mother.

IMMIGRATION AND NATIONALITY ISSUES

Re B (2011-2012) (Manchester High Court)

Complex care proceedings involving an illegal entrant, the father, who was detained in the UK following a prison sentence for drugs offences. He sought to care for his daughter, who was born whilst he was in prison, after the mother had abandoned her. The father wished to return to China and live with his family. The local authority and guardian opposed him. The Court heard expert evidence from China and the paternal family. On the substantive application, the court ruled that the child should be placed with the father and his family in China.

Re A (2010)

Represented the mother, a foreign national, in complex and lengthy care proceedings involving allegations of ritual abuse and "witchcraft".

Re R (2010) (High Court)

Represented birth parents, who were Indian nationals, who had left their child in the UK five years previously. The parents contended that they had been tricked into leaving their child in the UK and had been thwarted by their daughter's current carers in their efforts to have her returned to their care in India. The present carers alleged that the parents had abused the child as a baby. The guardian opposed the birth parents. Allison successfully secured both the return of the child to her parents and secured orders for her removal back to India.

APPEALS

Removal of new born children

Re C (2013)

Successful appeal of the decision of Family Proceedings Court (FPC) to remove a new born baby from her mother.

Re B (2013)

In the lower court, the local authority had failed in its application to remove a child from its mother (who was represented by Allison) which it then appealed. Allison successfully opposed the appeal and the child remained with the mother.

Care Orders. Deaf/Blind parents.

Successful appeal against care orders. Acting on behalf of the appellant father who was profoundly deaf. The mother was deaf blind. The appellate court found that the LA had breached a raft of disability legislation and failed to properly assess the parents.

Assessments of parents

Re M (Assessment: Official Solicitor) [2009] EWCA Civ 315

[2009] 2 FLR 950

Successfully appealed the decision from the Principal Registry of the Family Division (PRFD) which refused a young mother, who was represented by the Official Solicitor, and who was involved in her second set of care proceedings, a further psychiatric assessment.

INQUESTS AND INQUIRIES

Throughout her career Allison has conducted inquests, primarily on behalf of families. Allison has extensive experience in conducting Inquests involving deaths in custody shootings, homicides in prisons and individuals who have died in suspicious circumstances in the community. Additionally, she has expertise in inquests involving elderly people who have died in care homes or been found in local authority housing and patients in mental health hospitals and units.

NOTABLE CASES

GRENFELL TOWER PUBLIC INQUIRY 2017- ON GOING (Holborn Bars London) Current

The Fire at Grenfell Tower was both a personal and national tragedy. The Public Inquiry into the deaths and circumstances surrounding the refurbishment of the Tower will be wide ranging and extensive. Allison is instructed to represent a large number of Bereaved, Relatives and Survivors in the Public Inquiry into the

Grenfell Tower Fire.

See Allison's submissions at to the Inquiry at the procedural hearing on December 2017 [HERE- Part 2@ 5.35](#).

Daniels v Rt. Hon Theresa May, The Prime Minister. Neutral Citation Number: [2018] EWHC 1090 (Admin)

As Junior Counsel, Allison represented one of the survivor's Sam Daniels, on his application for Judicial Review of the decision not to sit with a panel for phase 1 of the Inquiry.

HILLSBOROUGH INQUESTS (March 2014- April 2016) (Warrington)

Allison was part of the barrister team that represented 71 of the 96 deceased in the Hillsborough Inquests, which ran from March 2014 to April 2016. These new Inquests were as a direct results of the brave and tireless campaign for justice and accountability by the family of the bereaved. They culminated in the complete exoneration of the Liverpool fans of any culpability or blame for the death of the 96 and saw the Jury return verdicts of unlawful killing; which have ultimately lead to the present criminal prosecutions.

Re Sarah Jane Price (2017)

Allison represented the family of Sarah Jane Price, a vulnerable young women, with special needs who died whilst living with her partner, a man considerably older than herself, who had previously been her welfare advisor.

Monerville (2016) (St Pancras Coroner's Court)

Allison represented the family of Joseph Monerville, a 19 year old university student, murdered on the streets of East London, by gang members in what the police described as a case of mistaken identity. An Old Bailey trial collapsed in 2013 and the 3 alleged murders walked free. At the Inquest in 2016, all 3 suspects as well as 4th member of their gang, who was to be the main prosecution witness in the criminal trial were called to give evidence; along with a murder squad officers from the original investigation. At Pre Inquest Reviews Allison had argued for greater disclosure in particular into police covert activity and surveillance of the suspects at the time of the shooting. A verdict of unlawful killing was returned. This case received media coverage in [the Guardian](#) and in the *Islington Tribune*.

Re Fraser Stent (2016) (Maidstone Coroner's Court)

Homicide in custody. Allison represented the family of Fraser Stent a young man, killed whilst he was a serving prisoner in Kent. The perpetrator was another prisoner, who had pleaded guilty to manslaughter and was sentenced. The family, contended that their relative had been murdered, that drugs (SPICE) and a culture of bullying was rife in the prison and Fraser's murder was as a direct result of him falling foul of the gangs in the prison. Another prisoner, who had subsequently been released, was located and called who supported the

family's contention. The perpetrator gave evidence at the Inquest, having initially refused to come up from the cells, claiming to be too scared to answer questions. The prison witnesses accepted and acknowledged the widespread use of SPICE in the prison and the bullying and supplying drugs was a feature of life in the prison.

Best (2013) (Westminster Coroner's Court)

Death in custody of a man remanded in HMP Wandsworth for stealing a gingerbread cake following the riots in Croydon. Mr Best had a history of mental health problems as well as physical ailments. He died of a heart attack following a heavy gym session. The prison health care services, the prison gym's induction process, and London Ambulance all came under heavy criticism. There was a very lengthy critical narrative verdict returned by the jury. To read more, [click here](#) and [here](#).

Hunter (2012) (Gloucester Coroner's Court)

Death in custody of a prisoner with mental health issues. The coroner was very critical of police, who escorted Mr Hunter to station from prison for an ID parade on the day of his death.

Little (2011) (Reading Coroner's Court)

Death in young offenders institute (YOI) of a young person with a long history of mental illness. It was found that there had been failings on the part of social services and youth justice teams. Rule 43 report made.

Halfhide (2010) (Leicester Coroners Court)

Death of a mentally ill prisoner in custody.

CRIMINAL DEFENCE

For the first 15 years of her career, Allison practised predominantly in criminal defence. She has conducted criminal trials across the full range of offences and at all levels. Additionally, due to her family experience, she has conducted criminal trials that have arisen from care proceedings. Allison also has expertise in dealing with public interest immunity hearings and third party disclosure applications from family proceedings in the criminal courts.

Allison's appellate work has involved successfully appealing against convictions that have included murder, public order offences and serious assaults, and sentences including deportation orders, serious assaults and drugs offences.

NOTABLE CASES

MURDER

R v Brand (Chelmsford Crown Court)

As junior counsel, Allison represented an adolescent who was suffering from Asperger's Syndrome. The defendant had been charged, along with an older co-defendant, with murdering a stranger.

R v Butler (Durham Crown Court)

Justice for Women campaign. Allison was instructed as junior counsel as part of new defence team for re-trial. The defendant was acquitted of the murder of their violent partner.

R v Miah (Central Criminal Court)

As junior counsel, Allison represented a teenager who was part of gang and was charged with murder (joint enterprise) of another teenage boy. The defendant was acquitted of murder and violent disorder.

SEXUAL OFFENCE

Re P (2016) Kingston Crown Court

Multiple counts, historical intergenerational sexual abuse

R v Hussain (2011)(Snaresbrook Crown Court)

Students charged with voyeurism on another student at Halls of Residence. It was alleged that the defendant had filmed and disseminated footage of a sexual nature, involving the complainant. Acquitted.

R v Kelvey (2011) (Southwark Crown Court)

Serious sexual assault in West End nightclub. Acquitted.

2011

Represented the defendant, aged 14, who was in local authority care. The defendant had been charged with historical rapes of another child when he himself was 12. Successfully argued that the rape charges should not be proceeded with, and defendant pleaded to lesser sexual assaults, which resulted in supervision orders.

DRUGS

R v Jonas

Large-scale drugs dealing in Manchester. The crown's case relied on a large police covert operation, including alleged observations from an unknown observation point. Allison successfully argued that the crown should

disclose the location of their observation posts. As a result, the crown offered no evidence.

R v Egesi

Represented the defendant, as sole counsel, in a multi-handed large-scale importation involving bogus companies abroad. Acquitted on several of the counts.

R v Milton and others

Importation. Junior Counsel. Acquitted.

CHILDREN

R v Muanza (Central Court)

Junior Counsel. Attempted murder, section 18 assault and child cruelty. Allison represented the aunt in this case which involved alleged “witchcraft” and torture of a child victim.

R v Reeves (Woolwich Crown Court)

Represented a mother jointly charged with her boyfriend of section 18 grievous bodily harm (GBH), and child cruelty in respect of her two-year-old child. The child had sustained a subdural haematoma and fractures. Mother Acquitted of main assaults.

APPEALS

Appeal Against Sentence 2009

Successfully appealed against the sentencing Judge who had imposed a custodial sentence on a defendant, with a chronic drug problem. A community based sentence was substituted.

Recommendation for Deportation 2008

Successfully appealed against an order recommending that the defendant, a Jamaican national who had been convicted of drugs offences, be deported.

MENTAL HEALTH LAW

Allison has represented patients at Mental Health Review Tribunals and in psychiatric facilities, including Broadmoor. She has also represented patients detained under a variety of orders both via the mental health services and following involvement with the criminal justice system.

PRISONERS' RIGHTS

Allison has conducted hearings in all categories of prisons, at all levels.

BACKGROUND

Allison has a degree in history and political science. Following her post graduate studies she worked for a year in the civil service before embarking upon a legal career. On completion of her pupillage in 1992, Allison was a tenant at Tooks Chambers for over 20 years, where she specialised in crime, family and Inquest work. Allison joined Garden Court Chambers in 2013.

Allison has always had a commitment to a number of areas outside of the law, most notably mental health issues, and the quality and provisions of services. Allison also maintains her campaigning interest in the economic and social factors which impact upon those who come into direct contact with the criminal justice and other legal systems in this country.

Over the years Allison has undertaken and continues to be involved in providing training, seminars and support for both professional clients such as solicitors and legal department; as well as working with young people, particularly those, who by dint of their backgrounds may find it more difficult to break into the legal profession.

TRAINING AND SEMINARS

January 2018: In House Training for Solicitors on vulnerable witnesses.

November 2017: ACL Conference 2017: Presentation on Taking Evidence from Vulnerable Witnesses: Ground Rules Hearings

EDUCATION

- 1985-1988 Cambridge University, BA Hons: History Part 1 and Social and Political Science Part II
- 1990/1 Polytechnic of Central London: 1 year post graduate law conversion course. CPE
- 1991/2 Inns of Court School of Law: Bar Finals

PROFESSIONAL MEMBERSHIP

- Inquest Lawyers Group
- Association of Lawyers for Children
- Family Law Bar Association (FLBA)
- Criminal Bar Association (CBA)
- MIND

LANGUAGES

- French (basic)

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