

Charlotte Crocombe

Year of Call: 2020

Practice Summary

Charlotte's primarily acts in cases involving mistreatment and anti-social behaviour, whether that be to prevent that behaviour from occurring, or holding individuals and/or state bodies accountable when it occurs. She has a diverse caseload which includes representing local authorities in applications to prevent widespread anti-social and criminal behaviour, including against persons unknown; bereaved families of young women who have taken their lives following domestic abuse in inquests and actions against the police; neurodiverse clients facing applications for injunctions and committal proceedings; and police forces in applications to protect victims of violence against women and girls including, stalking protection orders, closure orders, and sexual risk prevention orders.

Charlotte has expertise in civil remedies for anti-social and criminal behaviour, judicial review, inquests and inquiries, and actions against the police. Her work is forensically thorough, with a clear focus on achieving the client's objectives. Moreover, She is approachable and quickly establishes an easy rapport with solicitors and lay clients alike.

Charlotte receives instructions from local authorities, the Centre for Women's Justice and private individuals, who have said:

Having worked with (and on occasions against) Charlotte in a number of matters, you would be hard pressed to find better representation, attention to detail and rapport with clients. She easily grasps and identifies issues in such a way that instructing solicitors and clients would be left feeling confident that their case is in the best hands - McGrath & Co.

Charlotte made a difficult care that much easier to work on – she was approachable, provided timely and effective legal advice and was always on hand for a valued second opinion. It was a pleasure to work alongside her! - West Midlands Police

Charlotte has represented Leicester City Council in a number of anti-social behaviour cases. Her understanding, attention to detail and her excellent advocacy skills on our cases has secured a

100% success rate for the Authority. It has and continues to be a pleasure to work with Charlotte – Leicester City Council

Administrative & Public Law

Charlotte accepts instructions in all areas of public and administrative law. She is a member of the Legal Reference for the Centre for Women's Justice.

Gang Injunctions

Charlotte represents local authorities and defendants in applications for gang injunctions under Part 4 of the Anti-Social Behaviour Policing and Crime Act 2014. Recent cases include:

Jones -v- Birmingham City Council [2023] UKSC 27

Charlotte, led by Jonathan Manning, successfully defended the Appellant's appeal to the Supreme Court, which unanimously held that neither the decision of the House of Lords in *R (McCann) v Crown Court at Manchester* [2003] 1 AC 787 nor Article 6(1) of the ECHR requires the criminal standard of proof to be satisfied in respect of applications for gang injunctions under s.34, Policing and Crime Act 2009 (the "2009 Act"), or anti-social behaviour injunctions under s.1, Anti-Social Behaviour Crime and Policing Act 2014 (the "2014 Act"). Rather, the Supreme Court held that in both Acts, Parliament has devised statutory schemes which, in and of themselves, conform with the requirements of a fair hearing for the purposes of Article 6(1).

WMP -v- Campbell (unreported)

Charlotte, led by Jonathan Manning, successfully defended an application for a gang injunction against her neurodiverse client. The Judge held that it was not necessary for gang injunction to be granted against Charlotte's client because he had not engaged in gang-related violence or drug dealing activity in approximately three years, and the criminal law had provided an effective response to his behaviour. An injunction was not necessary to protect Charlotte's client, and granting an injunction against him would have placed him at a greater disadvantage to those who did not share his neurodiversity. Given his limited engagement in gang-related activity, it would not have been proportionate to do so.

Persons Unknown Injunctions

Charlotte is a specialist in injunctions against persons unknown. She is well-versed in the complexities of such applications and provides a holistic service including advising on causes of action, the necessary evidence, human rights limitations, alternative relief, defining "persons unknown", notice requirements, common defences and the appropriate terms of the injunction sought. Significant cases include:

Wolverhampton -v- Persons Unknown [2023] EWHC 56 (KB)

An application against persons unknown to prevent street-racing in the local authority's administrative area.

North Warwickshire BC -v- Baldwin [2023] EWHC 1719 (KB)

An application against persons unknown to prevent dangerous and anti-social behaviour that had come to be associated with protests at Kingsbury Oil Terminal. The Court held that the Claimant had statutory powers to institute civil proceedings, protect its local population under s222 of the Local Government Act 1972. The aim of the injunction, preventing public nuisance posing a grave risk of harm to the local community and environment, was sufficiently important to justify interference with the right to protest. The injunction struck a fair balance between the rights of the protestors and the general interest of the community and did not prevent lawful protest.

Charlotte also regularly appears in the High Court, unled, prosecuting applications to commit defendants for breach of persons unknown injunctions.

Notable cases include:

Birmingham City Council -v- Blunderfield [2023] EWHC 2594 (KB); *NWBC -v- Aylett* [2022] EWHC 2458 (KB); *NWBC -v- Hekt* [2022] EWHC 2567 (KB); *NWBC -v- Williams* [2022] EWHC 2566 (KB); *NWBC -v- Hoyland* [2022] EWHC 2568 (KB); *NWBC -v- Shatford* [2022] EWHC 2570 (KB); *NWBC -v- Shatford* [2022] EWHC 2569 (KB); *NWBC -v- Shatford* [2022] EWHC 2537 (KB); *NWBC -v- Wittingham* [2022] EWHC 2539 (KB); *NWBC -v- White* [2022] EWHC 2538 (KB); *NWBC -v- Bramfitt* [2022] EWHC 2540 (KB); *NWBC -v- Onlay* [2022] EWHC 2541 (KB) ; *NWBC -v- Litten* [2022] EWHC 2777 (KB).

Actions against the Police

Charlotte works tirelessly to defend the rights of individuals in civil claims against the police. She has experience in bringing actions arising from inadequate police investigations, particularly in relation to sexual abuse and domestic violence, many of which involve claims for breaches of the procedural duty under Articles 2 and 3 ECHR. Recent instructions include:

- Advising and representing a bereaved mother in an application for judicial review following an inadequate investigation into her daughter’s death.

- Advising and representing a victim of rape in an application for judicial review against the police following a decision not to prosecute. The perpetrator was a serving member of the same police force.

- Advising and representing a man in a claim for harassment, false imprisonment, breach of Article 3 and 5 ECHR and battery following his repeated arrest and detention for a crime that he did not commit.

- Advising and representing a man held by the police for breach of the peace, despite there being no evidenced apprehension that he would renew his breach of the peace if released.

Prison Law

Charlotte represents both Claimants and the Ministry of Justice in actions arising out of prison detention. Her current instructions include:

- Advising and representing the Ministry of Justice in claim for unlawful detention after a man was recalled to prison for breach of his licence conditions.

- Advising and representing a man in a claim for breach of Article 8 after the prison failed to resolve a technical issue preventing him from making phonecalls to his family.

Charlotte has also represented IPP prisoners in applications for release before the Parole Board.

Anti-Social/Criminal Behaviour

Charlotte is regularly instructed by local authorities to obtain injunctions against perpetrators of domestic abuse and exploitation, and possession or closure orders in respect of properties used for county-lines drug dealing, sexual exploitation of women and girls, and gang-related activity.

Inquiries and Inquests

Inquests

Charlotte has a busy and practice representing bereaved families and local authorities in Article 2 ECHR and domestic inquests. She has particular expertise in inquests concerning deaths following domestic abuse.

Inquest into the Death of SLD

Instructed to represent the bereaved family of a young woman in an application to the Attorney-General for a fiat to apply to the High Court for an Order requiring that a fresh inquest be held that is compliant with the requirements of Article 2.

Inquest into the Death of SB

Instructed to represent the bereaved family of a young woman who took her own life following years of domestic abuse. Charlotte has provided advice and drafted representations to the Coroner regarding Article 2 and a possible verdict of unlawful killing.

Inquest into the Death of JL

Instructed to represent the bereaved family of a young woman who took her own life following years of domestic abuse. Charlotte has provided advice and drafted representations to the Coroner regarding Article 2 and a possible verdict of unlawful killing.

Inquest into the Death of TC

Instructed to represent a housing association and charity following the death of a tenant with significant mental health illnesses.

Inquest into the Death of OAR

Instructed to represent a care home following the death of an elderly gentleman who fell whilst in their care. The Coroner made no criticism of the staff of the care home, and found that they had been extra vigilant in their care.

Inquiries

Charlotte has a thriving practice in public inquiries and has held senior positions in Counsel teams despite her relatively recent year of call.

Charlotte was Junior Counsel to the Brook House Inquiry, which investigated the circumstances surrounding the mistreatment of individuals detained at Brook House Immigration Removal Centre. Charlotte led on Part C of the report, which considered specific incidents of alleged mistreatment, and advised the Chair on the application of Article 3 ECHR and the final report. The report can be accessed here.

Charlotte is currently instructed as junior counsel to the Ministry of Defence in the Independent Inquiry relating to Afghanistan.

Local Government

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Education

- Amsterdam University College, University of Amsterdam (2015) BA (cum laude Hons) Liberal Arts and Sciences: Social Sciences, International Relations and International Law (First Class)
- University of Law (2016): GDL, Distinction
- City Law School, City University (2019): BPTC/LLM

Memberships

- Constitutional and Administrative Law Bar Association
- Justice

Areas of Expertise

- Administrative Public Law

- Human Rights Equalities
- Local Government
- Inquiries And Inquests
- Adult Social Care
- Investigations And Resolutions