

Sarah Le Fevre



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Details of practice

Sarah Le Fevre practises in licensing, regulatory, criminal, coronial and public law. She is recommended in the legal directories in the fields of inquests and inquiries, licensing and health and safety.

"... a standout advocate, who continues to impress the courts, licensing committees and other senior barristers with her judgement and charm ... an extremely good advocate who is absolutely excellent and always gives very comprehensive and effective advice during the case. She is top of her class."

Chambers UK 2019: Licensing (starred junior)

'She delivers her advocacy with charm, sees the big picture and manages it well.' **The Legal 500 2019: Inquests and Inquiries**

"Incredibly personable and a favourite of clients." **Chambers UK 2019: Health & Safety**

"a very able and thoughtful advocate." **Chambers UK 2019: Inquests and Inquiries**

"Her preparation is really impressive and she takes control of the case" **The Legal 500 2019: Licensing**

'An impressive advocate with outstanding levels of preparation' **The Legal 500 2019: Health & Safety**

Licensing:

- licensed entertainment under the Licensing Act 2003 (representing and advising applicants, objectors, responsible authorities, local authorities and interested persons in the High, Crown and Magistrates' Courts and before licensing authorities)
- gambling and associated issues under the Gambling Act 2005 (recent instructions have included consideration of the meaning of 'primary gambling activity' and a number of civil claims)
- street trading
- hackney and mini-cabs (advising and representing licensees and local authorities in and outside London)
- goods vehicle operator licensing (including proceedings before traffic commissioners)
- special treatment premises
- sex establishments (advising and representing applicants/licence holders before licensing authority, on appeal and in the High Court)

Regulatory law:

Her regular practice in this field encompasses civil and criminal enforcement and inquest and tribunal work. Specific areas of expertise reflected in current/recent practice include:

- fire safety
- railway safety
- tree preservation
- health and safety at work generally
- food hygiene and food safety
- trading standards, trademarks, hall marks, copyright protection, weights and measures
- product safety and consumer protection
- water pollution and control
- waste management
- noise pollution and control
- data protection and the control of information
- football (including banning orders, special police services, safety at sports grounds/stadium safety)

Inquests:

Sarah advises and represents families, regulators, police authorities and other interested persons at all stages of the coronial process. Her inquest practice embraces deaths following contact with police, deaths on the railway and as a result of fire, and workplace fatalities. Current and recent instructions include:

- Inquest into the death of RD, police shooting (Bedfordshire Police)
- Inquest into the death of MS, death of care home resident (Surrey)

- Inquest into the death of CC, fatality on a level crossing (Gloucestershire)
- Inquest into the death of Joseph Burke-Monerville, mistaken identity in gang shooting, instructed by the Commissioner of the Metropolitan Police
- Inquest into the death of RA, death following stent placement, instructed by medical software developer
- Inquest into the death of MD, inquest into the death of a cameraman in Egypt, instructed by Sky News
- Inquest into the death of DJ, fatal police shooting in London in September 2014, instructed by the Commissioner of the Metropolitan Police
- Inquest into the death of CH, death on a construction site, instructed by Laing O'Rourke
- Inquest into the death of Brenda Leyland, exposed as a "Twitter troll" following a Sky News investigation into anonymous online abuse targeting the family of Madeline McCann. Instructed for Sky News
- Inquest into the death of AM, inquest into the death of a staff member at Burghley House in July 2014, instructed by the Burghley House Preservation Trust
- Inquest into the death of Jacintha Saldanha, a nurse at the hospital treating the Duchess of Cambridge who fell victim to a hoax call from an Australian radio station, instructed by the Commissioner of the Metropolitan Police
- Inquest into the death of AT, a medical student at King's College London, instructed for the university in the inquest and related judicial review proceedings (challenges to various aspects of coroner's decision making)
- Inquest into the death of JS, an Australian national who died in London in January 2014, instructed by the Commissioner of the Metropolitan Police
- Inquest into the death of CR, fatality of a member of a golfing party in Portugal in 2005, instructed for a fellow member of the party
- Inquest into the death of Mark Duggan, Royal Courts of Justice, fatal police shooting in August 2011 and related judicial review proceedings (challenges to inquest verdict, post incident procedures, compatibility of inquest process with Regulation of Investigatory Powers Act 2000), instructed by the Commissioner of the Metropolitan Police and led by Hugo Keith QC
- Inquest into the death of TG, Birmingham, fatality of patient restricted under section 3 Mental Health Act 1983 following absconding from secure ward, instructed for the family of TG
- Inquest into the death of OM, Bury St Edmunds, fatality on a level crossing, instructed for the Office of Rail Regulation
- Prospective inquest into the death of KP, Plymouth, fatality following history of reported domestic violence, instructed for the family of KP
- Inquest into the death of SW, Sandwell, fatality on a building site, instructed for the deceased's employer
- Inquests into the deaths of JS, GP and KB, Inner South London, fatalities in licensed spa premises, instructed for premises licence holder

Public and administrative law:

Sarah is experienced in bringing and defending judicial review claims and appeals by way of case stated and advising at all stages of such proceedings, and advising a range of public authorities in respect of the proper exercise of statutory functions. She is also experienced in making and advising on applications for public interest immunity in a range of jurisdictions. Cases of particular interest involving licensing, inquests, criminal and public international law appear above and in the Notable Cases section. Other current instructions include:

- **R (W) v Chief Constable of Avon and Somerset Constabulary (2017), pending (permission obtained)**
Instructed for the claimant officer challenging purported requirement for consent to retire
- **R (C and W) v HM Treasury (2017), pending**
Instructed for the claimant in proceedings challenging implementation of Fourth Money Laundering Directive through the Money Laundering Regulations 2017
- **R (L) v Commissioner of the Police for the Metropolis, Inspector W and ors [2016] EWHC 2880 (Admin)**
Instructed for the affected officer in article 3 proceedings seeking to prevent retirement through stay of the defendant's decision
- **R (EA) v Thames Magistrates' Court, London Borough of Hackney (2016), pending:**
Challenge to the lawfulness of District Judge's decision to dismiss a statutory licensing appeal at the conclusion of the appellant's case. Instructed for the 1st Interested Party.

Criminal law:

Sarah has extensive experience, prosecuting and defending, in cases concerning/involving:

- financial crime and related civil proceedings
- serious violent and sexual crime
- drug and human trafficking
- organised crime
- complex commercial fraud
- representation of vulnerable defendants
- representation of police officers

Directory recommendations

"She is a steel fist in a velvet glove; she's very friendly and compassionate but don't be fooled into thinking she's soft ... Her experience shines through when you meet with her." **Chambers UK 2018: Licensing (starred junior)** *"It's difficult to imagine a more rounded, able and pleasant barrister"* **The Legal 500 2017: Licensing** *"The leading junior of her generation, who is impeccably prepared":* **The Legal 500 2016: Licensing** *"Regularly involved with some of the highest-profile cases involving premises licences"* *"Her manner with clients is second to none and her attention to detail and preparation are faultless; hand her the brief and she will master it."* *"Very client-focused and very good at turning around papers quickly":* **Chambers UK 2017: Licensing (starred junior)**

"tenacious, very knowledgeable ... excellent judgement." **Chambers UK 2018: Health & Safety** "She has an excellent manner in court, which assists judges and juries alike" **The Legal 500 2017: Health & Safety** "A tenacious advocate, who wins the court over with her disarming manner." **The Legal 500 2016: Health & Safety** "... a very good brain ..." "... a far-reaching health and safety practice that encompasses key areas of the law": **Chambers UK 2017: Health & Safety**

"... inspires huge confidence." **Chambers UK 2018: Inquests and Inquiries** "Her meticulous preparation and great technical knowledge instil confidence in clients." **The Legal 500 2017: Inquests and Inquiries** "She has great technical knowledge coupled with a superbly calm manner" **The Legal 500 2016: Inquests and Inquiries** "... quality legal advice, demonstrating her dedication to the work she undertakes": **The Legal 500 2015: Inquests & Inquiries**

"She is a pleasure to work with. She is bright, practical and very pragmatic. She is rapidly becoming one of the key barristers in this area": **Chambers UK 2016: Health and Safety**; "She is a wonderful advocate who pays great attention to detail": **The Legal 500 2015: Health and Safety** "Charming, eloquent and very persuasive": **Chambers UK 2015: Health and Safety**; "very bright, and good at utilising killer legal points in a sensible way": **The Legal 500 2014: Health and Safety**

"Her level of knowledge is second to none ... an accomplished advocate who can hold her own and be a real fighter in court or before committees": **Chambers UK 2016: Licensing**; "Extremely well prepared and capable" : **The Legal 500 2015: Licensing** "An extremely competent advocate who is particularly skilled at cross examination and has excellent client care skills." **Chambers UK 2015: Licensing**

"a genuine expert and leader in her field whose attention to detail and powers of persuasion are among the very best": **Chambers UK 2014: Licensing**; "Communicates well with clients, prepares meticulously and is impressive in court – a great all-rounder": **Legal 500 2013: Licensing**; "a clever opponent and an attractive advocate": **Chambers UK 2013: Licensing**; "a genuine expert and leader in her field whose attention to detail and powers of persuasion are among the very best": **The Legal 500 2012: Licensing**

Education/professional qualifications

MA (Hons) (Cantab) Anglo-Saxon, Norse & Celtic (1993)
Post-graduate Diploma in Law (Merit) (1999)
LLM Public International Law (Distinction) (2000)

Awards

Ede & Ravenscroft Student of the Year 2001 (Lincoln's Inn)
Megarry Scholar 2001
Buchanan Prize 2001

Appointments

'A' List, List of Specialist Regulatory Advocates in Health and Safety and Environmental Law (2012 – current)

'C' List, Unified List of Prosecuting Advocates (2006 - 2012)

Other information

Sarah is MV/SC security cleared.

Sarah spent 4 years as a multiple licensee in her own right in the West Country, during which time she was Chair of the local Licensed Victuallers Association.

Sarah trained as an actor at The Poor School, London and periodically records audio books and similar for major publishers

Direct access

Sarah Le Fevre is qualified to accept instructions direct from clients under the Bar Council's Public Access Scheme. This means that members of the public who seek specialist advice can come direct to her. In addition, she welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's Licensed Access Scheme.

For further information please contact our Clerks.

Notable cases

Inquests and Inquiries

Grenfell Tower Inquiry

Instructed by the London Fire and Emergency Planning Authority, led by Stephen Walsh QC.

Public inquiry into Undercover Policing

Instructed by the Metropolitan Police Service in the public inquiry into undercover policing, led by Neil Garnham QC and Jonathan Hall QC.

Independent Inquiry into Child Sexual Abuse

Instructed to represent individual witnesses in respect of certain IICSA investigations/case studies.

Inquests arising from the Croydon Tram derailment in November 2016, instructed for the London Fire and Emergency Planning Authority.

Inquest into the death of Francesca Whyatt

Instructed by the Health and Safety Executive in respect of proceedings arising from the death of Francesca Whyatt on 25th September 2013 at the Priory, Roehampton.

Inquest into the death of Arthur Mellar

Instructed to represent Burghley House Preservation Trust Ltd in the inquest into the death of Arthur Mellar at Burghley House in 2014.

Inquest into the death of Brenda Leyland

Instructed to represent Sky News in the inquest into the death of a 'Twitter troll' following Sky News investigation into the online trolling of the family of Madeleine McCann.

Inquest into the death of Mark Duggan

Instructed with Hugo Keith QC to represent the Commissioner of Police for the Metropolis in this inquest and related judicial review proceedings. Instructed with Jason Beer QC in related civil claims.

Inquest into the death of Anita Trivedi

Instructed to represent King's College London in the inquest and related judicial review proceedings.

Licensing

Hyde Park Festival

Representing Royal Parks as applicant for new premises licence for Hyde Park summer festivals.

R (Campaign for Fairer Gambling) v HM Treasury

Instructed by claimant in judicial review proceedings brought against HM Treasury judicial review challenging the wholesale exemption of gambling operators from the Money Laundering Regulations 2017.

Sophisticats

Representing applicant for new premises licence and extension of sexual entertainment licence in central Soho.

R (Essence Bars Ltd) v Wimbledon Magistrates' Court, Royal Borough of Kingston upon Thames and anr [2016] EWCA Civ 63

Instructed as junior counsel for the claimant in judicial review proceedings (High Court and Court of Appeal) in respect of defendant's decision to dismiss statutory appeal following mistake in drafting of complaint. Appeal against High Court decision allowed by Court of Appeal.

Street Feast/Dinerama

Representing successful applicants for the two largest licensed venues in Hackney.

Red Rooms

Representing sexual entertainment venue in proceedings before the local authority and in successful challenges to that authority's decision on statutory appeal and in the High Court.

Fabric

Representing the Metropolitan Police in its review of the premises licence of Fabric nightclub following a number of fatalities and near misses amongst its clientele. Islington Council imposed the conditions sought by police, including a requirement to deploy drugs dogs. Now instructed by Islington Council on Fabric's appeal.

R (on the application of Akin (t/a Efe's Snooker Club)) v London Borough of Hackney [2014] EWHC 4633 (Admin)

Representing Hackney in dismissal of claim for the judicial review by the holder of the premises licence; proper application of *ex p Jeyanthan* [2000] 1 WLR 354 to licensing proceedings.

R (on the application of Akin (t/a Efe's Snooker Club)) v Stratford Magistrates' Court, London Borough of Hackney Queen's Bench Division, 28 November 2014 [2014] EWHC 4633 (Admin)

Representing Hackney in dismissal of claim for the judicial review by the holder of the premises licence; proper application of *ex p Jeyanthan* [2000] 1 WLR 354 to licensing proceedings.

93 Feet East

Representing the premises licensee during summary review proceedings and on appeal following a massive raid and allegations of drug dealing and misuse on the premises. Appeal allowed in full

MGM Grand Hotels Ltd and another v Vierich (2012)

Instructed by US based casinos in the UK proceedings to enforce judgment obtained in Nevada against casino client in respect of gambling debts.

Tower Hamlets LBC v Lovebox Festivals Ltd Administrative Court [2012] EWHC 961 (Admin) Successfully resisting appellants local authority's appeal by way of case stated against the order of substantial costs (in principle and on quantum); the local authority's decision had not been reasonable.

Marathon v London Borough of Camden [2011] EWHC 1339 (QB)

Case stated, lawfulness of district judge's determination (a) burden of proof (b) coherency of factual findings (c) nature of hearing (d) sufficiency of reasons.

Miscellaneous **festivals**, including Sunrise Festival; Loxwood Joust; Lovebox; Exhibition Road Show 2012; Womad

Miscellaneous applications for premises licences, including for the Science Museum, the Natural History Museum, the Manchester Museum of Science and Industry, the Royal Society of Arts; Notting Hill Carnival (sound system); Pleasuredrome.

Miscellaneous applications for **sexual entertainment venue licences**, including for Spearmint Rhino (flagship UK premises on Tottenham Court Road); Pinks Gentlemen's Club; Parkers; Red Rooms

Health and Safety etc

R (Health and Safety Executive) v Priory Healthcare Ltd

Instructed by the HSE in the prosecution of Priory Healthcare Ltd: charges under the HSWA 74 alleging failures to properly minimise the risk of suicide in sectioned and extremely vulnerable mental health patients.

R (Office of Rail and Road) v Network Rail Infrastructure Ltd, Ipswich Crown Court, September 2016

Representing the ORR in the prosecution of Network Rail for safety failings on a level crossing (Gipsy Lane, Needham Market) over a protracted period of time, resulting in the death of Olive McFarland. Network Rail was sentenced pursuant to the Health and Safety Offences Definitive Guideline (high culpability and category 1 harm), and fined £4m.

R (Health and Safety Executive and the Environment Agency) v Sellafield Ltd; R (Office of Rail Regulation) v Network Rail Infrastructure Ltd [2014] EWCA Crim 49

Representing the prosecution in the second appeal against sentence. Sole prosecution counsel throughout proceedings, involving safety failures at a level crossing on private land resulting in serious injuries to a ten year old boy. Network Rail was fined £500,000 following a guilty plea. Consideration by the Court of Appeal of the appropriate approach to sentencing atypically structured and/or very large corporate entities for health and safety and environmental protection offences. Appeals dismissed.

R (Environment Agency) v Anglian Water Services Ltd:

Representing the defendant company since 2011, including:

- **2014: Chelmsford Crown Court:** AWS fined £50,000 for alleged Category 1 incidence following (a) the **Sellafield** decision and (b) publication of the Environmental Offences Definitive Guideline
- **2013: Chelmsford Crown Court:** successfully appealing excessive sentence imposed by magistrates on a national water authority under the Environmental Permitting Regulations 2010.

R v Michael Wilson [2013] EWCA Crim 1780

Representing the prosecuting authority on appeal against conviction concerning (a) the relationship between the mens rea for a 'consent, connive, neglect' offence and a statutory due diligence defence, and (b) the indicting of consent, connive, neglect allegations. Appeal dismissed.

R (Food Standards Agency) v Selfridges Retail Ltd and another (2013)

Representing Selfridges (with Stephen Walsh QC) in a prosecution in respect of the sale of raw milk. The case was withdrawn.

R (Mid Suffolk District Council) v 2 Sisters Food Group Ltd and others (2013)

Instructed to defend the technical director in respect of allegations under the Food Hygiene (England) Regulations 2006.

R (Office of Rail Regulation) v Network Rail Infrastructure Ltd 2011-2012 Chelmsford Crown Court

Junior counsel in the prosecution of Network Rail for systemic failures to properly assess risk at a level crossing, which failures led to the deaths in 2005 of two teenage girls.

R (LFEPA) v Chumleigh Lodge Hotel Ltd (2) Michael Wilson 2011-2012 Blackfriars Crown Court First contested Crown Court trial under the Regulatory Reform (Fire Safety) Order 2005, resulting in unanimous convictions and substantial financial penalties.

Other Judicial Review

R (HC) v (1) Secretary of State for the Home Department (2) Commissioner of Police for the Metropolis [2013] EWHC 982 (Admin)

Representing the Commissioner of Police for the Metropolis in a test case brought by a south London teenager, Hughes Cousins-Chang, against both the Secretary of State for the Home Department and the Commissioner. The case resulted in a finding that the Home Secretary's failure to review Code C PACE 1984 in respect of 17 year olds in custody represented a breach of Article 8 of the European Convention on Human Rights. The Home Secretary was ordered to redraft the Code. The claim did not succeed against the Metropolitan Police.