

## Bo-Eun Jung

Call: 2005



Bo-Eun Jung's main practice areas are: crime; professional discipline; health & safety; licensing and inquests.

Bo is a ranked junior barrister in Chambers UK 2019 and 2020: Crime.

Bo has been Special Legal Advisor to the South Korean Embassy since 2010.

Since joining 3RB in 2007, she has been involved in a number of high profile cases including: R v Neil Wallis (Deputy Editor of News of the World who was cleared of phone hacking in 2015); the Lakanal House fire prosecution; the Grenfell Tower fire public inquiry; the prosecutions and subsequent disciplinary proceedings of the police officers accused of lying about the circumstances of the death of Kingsley Burrell (a black male detained under the Mental Health Act); the inquest into the death of Dr Jeroen Ensink (who was stabbed to death by a man with psychosis after a series of admitted failings by the MPS).

Bo is skilled in dealing with vulnerable witnesses and defendants including those with low IQ, Paranoid Schizophrenia, Asperger's Syndrome, Dissociative Disorder, Personality Disorders and Depression.

Bo accepts instructions directly from members of the public under the Public Access Scheme and also welcomes instructions from in-house lawyers, foreign lawyers and clients licensed under the Licensed Access Scheme.

## Crime

Bo is a specialist criminal advocate.

Cases she is currently instructed on or has recently conducted include:

- s18 Causing grievous bodily harm with intent: R v CD (Ongoing)
- Fraud by abuse of position: R v CV (Ongoing)
- Money laundering: R v SK (Ongoing)
- Conspiring to pervert the course of justice/Perjury: R v Adey & Others (Sep 2017)
- International Ponzi fraud/breach of director's disqualification: R v KC (Jan-Mar 2017)
- VAT fraud: R v JZ (Dec 2016)
- Rape: R v PC (Mar 2016); R v UO (Nov 2016)
- Historic/familial sex: R v DK (Oct 2016); R v GP (Nov 2016)
- Perverting the course of justice/perjury: R v PA and Others (Ongoing)
- Human trafficking/Slavery: R v HS (Apr 2016)
- Endangering an aircraft: R v JYK (Nov 2015)
- Phone hacking: R v NW (Jul 2015)

Bo is skilled in dealing with vulnerable witnesses and defendants including those with: low IQ; paranoid schizophrenia; Asperger's syndrome; dissociative disorder; personality disorders; depression.

She is also an experienced prosecutor, acting for the Crown Prosecution Service and for private prosecuting bodies, including: fire authorities; local councils; the Health and Safety Executive; Transport for London; and Trading Standards

## Notable Crime cases

- **R v PA & Others (September 2017, Birmingham Crown Court)**

Junior counsel instructed to represent three police officers charged with perverting the course of justice and perjury. The offences related to an incident involving the death of a black male in hospital while detained under the Mental Health Act. The defendants were acquitted of all charges.

- **R v GP (November 2016, Portsmouth Crown Court)**

Defended a man accused by his two stepdaughters of historically and repeatedly raping them when they were aged between 11 and 15 years old. The jury unanimously acquitted the defendant of 15 counts of rape and sexual assault and convicted him, by a majority, of only one incident which he admitted in evidence.

- **R v NM (November 2016, Aylesbury Crown Court)**

Successfully defended a man accused of making indecent images of a child on his mobile telephone. The defendant had met a 15-year-old girl on the dating app, Tinder, and had encouraged her to send him indecent images and videos of herself.

## Health & safety, licensing and regulatory law

Bo specialises in all aspects of regulatory law and is a Specialist Regulatory Advocate in Health and Safety and Environmental Law (B panel).

She regularly appears before licensing sub-committees and Magistrates' Courts (on appeal) all over the country as well as advising in a wide range of licensing matters.

She is also experienced in the field of regulatory enforcement, in particular, fire safety and health & safety cases.

Bo has provided training to the Medical Defence Union, the General Dental Council and to licensing authorities.

She was previously instructed by the London Fire Authority as disclosure counsel in respect of the criminal investigation into the deaths of six people at the Lakanaal House tower block in Southwark. She is currently assisting the London Fire Brigade with disclosure in the Grenfell Tower Inquiry.

- Health & Safety
- Fire safety
- Food Safety
- Alcohol licensing
- Taxi licensing
- Gambling
- Environmental
- Security Industry
- Trading Standards

## Notable Health & safety, licensing and regulatory law cases

- **Re: WTF Ltd (January 2018, Southwark Council)**

Represented the licensee in an application for a premises licence in relation to a music festival called Gala, held in May 2018 in Peckham Rye Park. The application was granted notwithstanding objections from local residents relating to noise and other public nuisance issues.

- **Westminster City Council v Z Restaurant (January 2018)**

Drafted written representations on behalf of a company accused of breaching the Food Safety and Hygiene (England) Regulations 2013 with regard to a mice infestation at the premises, which resulted in a simple caution.

- **Westminster City Council v The W International (December 2017)**

Advised a company regarding an investigation into alleged breaches of the Health and Safety at Work etc Act 1974 following the explosion of an electric water heater at the premises. The Council decided to take no further action.

## Professional Discipline

Bo has considerable experience in professional regulatory/disciplinary proceedings.

She is regularly instructed by regulators and by registrants to conduct and advise on complex clinical and serious misconduct cases.

In 2007/2008, she spent nine months at Kingsley Napley Solicitors where she was responsible for investigating, advising on and presenting cases nationally on behalf of the Health and Care Professions Council (HCPC). She also spent three months at the end of 2013 in a similar role at Blake Morgan (previously Blake Laphorn) Solicitors, where she advised on cases for a range of regulators including the General Dental Council, the General Pharmaceutical Council and the Architects Registration Board.

- Nursing and Midwifery Council
- General Dental Council
- Health and Care Professions Council
- Architects Registration Board
- General Pharmaceutical Council
- General Medical Council

## Notable Professional Discipline cases

- **NMC v NB (April 2018)**

Drafted written representations on behalf of a midwife accused of lacking competence in basic midwifery skills. The allegations included that NB had failed repeated competency assessments carried out by the Trust. The NMC decided that there was no case to answer and took no further action.

- **GDC v RK (July 2016, General Dental Council )**

Presented the case on behalf of the GDC at a hearing before the Professional Conduct Committee of the GDC. The allegations related to wide-ranging clinical failures relating to 18 separate patients. The Committee found that the facts proved amounted to misconduct and imposed conditions on the registrant's practice.

- **GDC v MB (May 2014, General Dental Council)**

Represented the GDC at the misconduct hearing of a dentist with over 20 years' experience. The Registrant was struck off for his misconduct in relation to an elderly patient whom he treated between the ages of 83-91 years.

## Public law/inquests & inquiries

Bo represents all types of interested persons at inquests and advises on judicial review proceedings.

She recently represented the Office of Rail Regulation at an inquest into the death of a 12-year-old girl who was struck by a tram in Nottingham.

## Notable Public law/inquests & inquiries cases

- **In the matter of TS (Ongoing, May 2018, Woking Coroner's Court)**

Represented three Police Inspectors in charge of training firearms officers at Surrey Police in an inquest where the training programme had come under scrutiny following the death in police custody of TS who had been subjected

to prolonged restraint while exhibiting symptoms of excited delirium.

- **In the matter of ST (Ongoing, April 2018, Walthamstow Coroner's Court)**

Representing a provider of supported living accommodation at which ST was living when she was found deceased.

- **In the matter of SC (June 2014, Guildhall Coroner's Court)**

Represented a police officer who was an interested party in the inquest into the death of a man who jumped off a hospital building where he was being held under the Mental Health Act.

- **In the matter of LI (January 2014, Nottingham Coroners' Court)**

Represented the Office of Rail Regulation at an inquest into the death of a 12-year-old girl killed by a tram in Nottingham.

## Extradition

Bo regularly advises and appears on behalf of requesting authorities and defendants in extradition matters at first instance and on appeal.

### Notable Extradition cases

- **Poland v MO (May 2014)**

Represented the appellant whose extradition was sought by Poland. The requesting authority conceded on appeal that the offence described in the European Arrest Warrant was not an extradition offence.

- **Poland v MW (December 2012)**

Successfully argued on appeal that the appellant's rights and those of his partner and son under article 8 of the ECHR would be breached if he were to be extradited.

## Notable Cases

### Crime

#### **R v PA and Others**

September 2017, Birmingham Crown Court

Junior counsel instructed to represent three police officers charged with perverting the course of justice and perjury. The offences related to an incident involving the death of a black male in hospital while detained under the Mental Health Act. The defendants were acquitted of all charges.

### **R v GP**

November 2016, Portsmouth Crown Court

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November 2016, Aylesbury Crown Court

Successfully defended a man accused of making indecent images of a child on his mobile telephone. The defendant had met a 15-year-old girl on the dating app, Tinder, and had encouraged her to send him indecent images and videos of herself.

### **R v PC**

March 2016, Portsmouth Crown Court

Represented a defendant who was found by the court to be unfit to plead and to stand trial. At a trial of the facts, his stepdaughter gave evidence that she was sexually abused by the defendant when she was young. Mr Coleman was unanimously found by the jury not to have committed the acts alleged in the 5-count indictment.

### **R v NW**

July 2015, Central Criminal Court

Defended NW, the *News of the World's* former Deputy Editor under Andy Coulson, against allegations of phone hacking. Bo was led by Neil Saunders in the trial, at the end of which NW was unanimously acquitted.

### **R v D & Others**

November 2011 – April 2014, Central Criminal Court & Court of Appeal

Prosecuted 24 defendants for conspiracy to produce cannabis to the value of £125 million.

The prosecution was the culmination of a two year police investigation (the biggest of its kind) into an international organised criminal network, alleged to be responsible for the commercial cultivation of over £125m of cannabis in the UK. The network was alleged to have imported the requisite equipment through associated companies in China, Holland and Germany and was responsible for a high proportion of the industry up to point of arrest and the criminality includes various acts of intimidation and the use of trafficked and child labour. The materials in the case exceeded 250,000 pages of material from diverse sources and maintained in both paper and electronic format. The defendants pleaded guilty or were convicted after trial. The appeals against conviction and sentence were dismissed.

## **Health & safety, licensing and regulatory law**

### **Re: WTF Ltd**

January 2018, Southwark Council

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December 2017

Advised a company regarding an investigation into alleged breaches of the Health and Safety at Work etc Act 1974 following the explosion of an electric water heater at the premises. The Council decided to take no further action.

#### **HSE v CR Ltd**

October 2016, Maidstone Crown Court

Prosecuted a company for failing to ensure the health and safety of its employees. The company owned a number of waste processing sites. During an accident at work, one of the employees received serious injuries when he was dragged under the magnetic bar of an industrial shredding machine. The defendant was fined a total of £300,000.

## **Professional discipline**

#### **NMC v NB**

April 2018

Drafted written representations on behalf of a midwife accused of lacking competence in basic midwifery skills. The allegations included that NB had failed repeated competency assessments carried out by the Trust. The NMC decided that there was no case to answer and took no further action.

#### **GDC v RK**

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May 2014, General Dental Council

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#### **NMC v GN**

July 2013

Nursing and Midwifery Council

Represented the Registrant, who was accused of stealing medication from the hospital where she worked. She was given a caution.

#### **NMC v KTd**

February 2013

Nursing and Midwifery Council

Represented a Registrant who had been diagnosed with Asperger's Syndrome at her misconduct hearing.

## Public Law & Inquests

### **In the matter of TS**

Ongoing, May 2018, Woking Coroner's Court

Represented three Police Inspectors in charge of training firearms officers at Surrey Police in an inquest where the training programme had come under scrutiny following the death in police custody of TS who had been subjected to prolonged restraint while exhibiting symptoms of excited delirium.

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### **In the matter of LI**

January 2014, Nottingham Coroners' Court

Represented the Office of Rail Regulation at an inquest into the death of a 12-year-old girl killed by a tram in Nottingham.

### **In the matter of SLP**

February 2011

Southwark Coroner's Court

Represented the doctor who examined the deceased at the police station prior to her death. Verdict of accidental death.

## Extradition

### **Poland v MO**

May 2014

Administrative Court, High Court

Represented the appellant whose extradition was sought by Poland. The requesting authority conceded on appeal that the offence described in the European Arrest Warrant was not an extradition offence.

### **Poland v MW**

December 2012

Administrative Court, High Court

Successfully argued on appeal that the appellant's rights and those of his partner and son under article 8 of the ECHR would be breached if he were to be extradited.



## Professional Memberships

- Criminal Bar Association
- Association of Regulatory and Disciplinary Lawyers
- Extradition Lawyers' Association
- Defence Extradition Lawyers' Forum
- British Korean Lawyers' Association
- International Association of Korean Lawyers
- Korean Prosecutors' Association
- Chartered Institute of Arbitrators

## Education / Professional Qualifications

- BSc (Anthropology) – University College London
- Graduate Diploma in Law (Distinction)
- Bar Vocational Course (Outstanding)

### Awards:

- Buchanan Prize (Lincoln's Inn)
- Pupillage Scholarship 2005
- Hardwicke Entrance Scholarship 2005
- Robert Wright Mooting Trophy 2005

## Appointments

- Specialist Advocates' B panellist for Health & Safety and Environmental Law

## Other Information

### Languages:

- Korean

**Pro Bono:**

- Bo regularly takes instructions from Bar Pro Bono Unit.

## Accreditations

