

## 3PB Barrister Profile



### Caroline Stone

Call 2005

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#### Academic Qualifications

MA (Hons), Downing College, Cambridge

Bar Vocational Course, BPP Law School (9th in year of 300)

#### Public Law & Regulatory

Caroline is Deputy Head of 3PB's Administrative Law Unit.

#### Public law

Recent public law cases include:

- *Cattrell v Secretary of State for Work and Pensions* [2011]  
Successfully resisting an appeal by the Secretary of State challenging the award of Incapacity Benefit in exceptional circumstances to an allergy suffer (interpretation of Regulation 27 of the *Social Security (Incapacity for Work) (General) Regulations 1995* and the meaning of ?substantial risk?)
- *Al Rawi & Others v The Security Service & Others* [2010]  
Multi-party litigation arising from the detention of individuals at Guantanamo Bay and other facilities, raising complicated issues of disclosure and international human rights and humanitarian law. This work was undertaken, in part, during a six-month secondment to the Foreign and Commonwealth Office
- National Security cases relating to control orders and the exclusion of individuals on the grounds of national security, including proceedings to be heard before the Special Immigration Appeals Commission (SIAC)
- *R (Compton) v Wiltshire PCT* [2009] EWHC 1824 (Admin), Lawtel 28th July 2009  
Judicial Review of a Primary Care Trust's decisions in respect of the closure of hospital facilities (lawfulness of the consultation process; principles governing the apparent bias of *advisors to public authorities*)
- Challenging decisions of Police Forces and the Police Medical Appeals Board in relation to the receipt of injury awards/pensions: advising as to the merits of judicial review proceedings and drafting submissions for hearings before the Board

- Judicial Review proceedings on behalf of the UK Border Agency: challenging the improper exercise of a judge's discretion to grant leave to appeal out of time; a judicial review arising from a Crown Court decision to condemn excise goods as forfeit (right to a fair trial; right of access to court)
- *R (Compton) v Wiltshire PCT* [2008] EWCA Civ 749, 1 WLR 1436 (assisted during pupillage): the current leading Court of Appeal authority on Protective Costs Orders (new guidance on the criteria and procedure for making and setting aside protective costs orders; the scope of the 'general public importance' test)
- Petitioning the Privy Council for leave to appeal against Jamaican murder convictions (assisted as a junior during pupillage)

Having observed judicial review from both sides of the public law spectrum, Caroline is sensitive to the frustrations and complexities of litigating both for and against public authorities.

## Regulatory law

Recent regulatory law cases include:

- *General Medical Council v Abayomi* [2010] - instructed as a junior in a 6-week prosecution of a doctor before the GMC's Fitness to Practise Panel (charges of dishonesty and financial misfeasance)
- Representing a Councillor accused of breaching the Code of Conduct before his Local Standards Committee. Thereafter, appealing to the First Tier Tribunal (Local Government Standards of England Chamber)

## Other public law experience

Prior to being called to the Bar, Caroline gained extensive experience of advising on public law and human rights issues. At the [Public Law Project](#), she advised on diverse matters ranging from the powers of the Criminal Records Bureau and DVLA to challenging the provision of asylum support/support for 'looked after' children. One of her more unusual cases involved challenging the decision of a PCT Joint Exceptions Panel concerning the provision of elective plastic surgery.

As part of the 'Permission Stage Project', Caroline interviewed dozens of solicitors - working for central and local Government, leading private firms and NGOs - about their experience of the judicial review process. These interviews related to specific judicial review applications covering all the core public law areas, including housing, prison law, education and asylum support.

Caroline is happy to accept pro bono instructions in this field.

## Published Articles

- 'Corner House Revisited: The Law Governing Protective Costs Orders', [2009] JR 43

## Professional Qualifications and Appointments

- Attorney-General's Junior Counsel to the Crown (C Panel)

## Professional Bodies

- Administrative Law Bar Association
- Human Rights Lawyers' Association
- Proceeds of Crime Lawyers Association