



Alan Payne KC

Year of call: 1996 | Silk: 2019

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'Alan's work is exceptional. He never fails to provide outstanding advice and advocacy. Solicitors always, without fail, receive lovely comments from lay clients about how he is the best'. Legal 500 2024

Alan is recognised as a leading silk specialising in public law, police law, public inquiries, inquests, Data Protection & Information law and advisory work. He represents private clients, central government, public authorities, police forces, and corporations in complex, high-profile and sensitive investigations, inquiries, judicial reviews and civil claims.

Before taking silk, Alan spent 14 years on the Attorney General's panels, including five years on the A panel. Alan has acted in a number of cases in the Supreme Court, over 25 cases in the Court of Appeal, and more than a hundred in the High Court.

Recent and ongoing inquiries include the Jalal Uddin Inquiry heard in September 2024, the Under Cover Policy Inquiry (ongoing), the Independent Inquiry into Child Sexual Abuse (2023), and the Azelle Rodney Inquiry. Recent cases include *R (Police and Crime Commissioner for the West Midlands) v Secretary of State for the Home Department* [2024] EWHC 604 (challenge to dissolution of PCC role), *Hughes v Revenue and Customs Commissioners* [2024] EWHC 1765 (misfeasance and malicious prosecution) *Rennie v Secretary of State for the Home Department* [2023] EWHC 1794 (challenge to the failure to implement the Grenfell Inquiry recommendations), *HM & Ors v Secretary of State for the Home Department* [2022] EWHC 695 (challenge to seizure/retention/data extraction from mobile phones), *R (Tortoise Media Ltd v Conservative and Unionist Party* [2023] EWHC 3088 (judicial review refusal by Conservative Party to provide data concerning internal election); *G (A Child), Re* [2021] UKSC 9 (Refugee Convention/Hague Convention; abducted children).

Areas of expertise

Administrative and Public

Human Rights

Inquiries

Inquests

Police Law

Employment

Data Protection and Information Law

Immigration and Business Immigration

Hague Convention

Police Law

Alan acts in the full range of disciplines on behalf of the police service. He also regularly represents the Police and Crime Commissioners, the Independent Office for Police Conduct and the CPS.

Sources in the main directories state that he is "*a very impressive silk*" who "*puts up a hard fight*" and who has "*an excellent legal brain and is a very capable advocate*", and "*gives a lot of attention to detail, and is very approachable and great technically.*"

He has represented police force and the CPS in civil jury trials and non-jury actions relating to misfeasance, malicious prosecution and false imprisonment. He recently represented in Warwickshire Police before the Court of Appeal in a challenge to the refusal of the Family Court to grant PII, and the CPS in an appeal against a decision to strike out a multi-million point claim for misfeasance and false imprisonment.

He is presently defending the NCA and a number of Police Forces in a range of claims involving challenges to the lawfulness of warrants based on breach of duty of candour and misfeasance.

Additionally, has acted Police Forces in a wide range of Human Rights claims involving victims of historic sexual abuse, alleged failures to respond to risk to risk of harm (for example risk of suicide, risk to CHIS, refusal to provide witness protection) and alleged breaches of Article 8 ECHR (disclosure of PNC and other data).

He has particular expertise in the operation of the Freedom of Information Act 2000, the GDPR and the Data Protection Act 2018 and regularly advises Police Forces in a wide range of issues relating to data extraction, retention and transfer. He is currently defending South Wales Police in the Court of Appeal in relation to a challenge to the non-deletion of PNC material and national policies on the retention of information for policing and other purposes.

Alan has appeared in many difficult and sensitive inquests and public inquiries involving the police service including most recently the Undercover Policing Inquiry and the Independent Inquiry into Child Sexual Abuse, and the Azelle Rodney Inquiry.

Recent cases of note:

- *Chief Constable of Thames Valley Police v Misconduct Panel* [2023] EWHC 2589 (challenge to lawfulness of Panel's post Sarah Everard approach to inappropriate conduct).
- *YZ v Chief Constable of South Wales Police* [2022] EWCA 683 (challenge to the non-deletion of PNC material and national policies on the retention of information for policing and other purposes).
- *Seymour Young v Chief Constable of Warwickshire (2) Director of Public Prosecutions* [2022] EWHC 447 (strike out of misfeasance claim arising from prosecution disclosure failings)

Recommendations

- *"A truly brilliant advocate. He is methodical, versatile and tenacious, and his arguments are delivered with such sincerity that he never seems to fail in getting judges on his side."*
Chambers and Partners 2023
- *"Alan is an attractive and persuasive advocate, with a proven ability to run difficult cases – in particular for the UK government."* The Legal 500 2023
- *"His advice is robust and consistent. He really gets hold of a case. You feel in safe hands."* The Legal 500 2023
- *"He works extremely hard and thinks about cases tactically. He puts up a hard fight."* (Police Law) Chambers and Partners 2022
- *"He is very well regarded in the sector, he is extremely able and a very technical lawyer."* (Immigration) Chambers and Partners 2022
- *"An effective and friendly opponent who is very proper in his approach."* (Immigration) Chambers and Partners 2022
- *"He's a client-friendly barrister and has a good grasp of the issues."* (Inquests & Public Inquiries) Chambers and Partners 2022
- *"He's very well prepared and able."* (Inquests & Public Inquiries) Chambers and Partners 2022
- *"Outstanding and instructed in the most difficult cases."* (Inquest and Inquiries) The Legal 500 2022
- *"Alan's written pleadings and advice is excellent."* (Police Law - Defendant) The Legal 500 2022
- *"He is fantastic in judicial reviews."* (Police Law) Chambers and Partners 2021
- *"He is extremely effective and likeable as an opponent. A very strong advocate for his clients, with a lot of experience in the higher courts."* (Immigration) Chambers and Partners 2021
- *"Alan is really on top of the detail and very well trusted and regarded."* (Inquests and Inquiries) Chambers and Partners 2021
- *"An outstanding barrister, whose strengths are his client-friendly approach, his depth of knowledge of the subject area and his grasp of current and future issues."* The Legal 500 2021
- *"A very able advocate. He is dogged and fierce in his litigation, but is a likeable opponent and the courts have a lot of respect for him."* (Immigration) Chambers and Partners 2020
- *"He has a good grasp of the feel of a case and really knows his way around immigration law."* (Immigration) Chambers and Partners 2020
- *"A very impressive silk."* (Police Law) The Legal 500 2020
- *"An excellent legal brain and a very capable advocate." "Gives a lot of attention to detail, and is very approachable and great technically."* (Police Law) Chambers and Partners 2020
- *"Insightful, concise and 100% accurate in terms of the law and tactical approach. He is really flexible, good on paper and always contactable."* (Police Law) Chambers and Partners 2019

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