



PARK
SQUARE

BARRISTERS

Kirsten Mercer

Call: 2006

Regulatory & Public

Ranked Tier 1 for Inquests and Inquiries in The Legal 500 (2021)

Band 2 for Inquests & Public Inquiries in Chambers & Partners (2021)

"Her client focused attitude coupled with her tenacity ensures she delivers a premium service to those who instruct her, She has a serious attitude to the matter in hand, delivering well prepared and fully researched work. A trusted barrister in her field." The Legal 500 (2021)

"She was so impressive – she was tactical and astute in her analysis." "She is cool and calm with clients and very reassuring." – Chambers & Partners (2021)

Kirsten is a highly experienced inquest advocate, who represents interested persons in a wide range of matters from deaths arising out of road traffic collisions to unlawful killing.

Kirsten is regularly instructed in article 2 inquests on behalf of the state. She is junior counsel to the crown, appointed to the regional B panel. As a result she receives instructions on behalf of the Ministry of Justice, the National Probation Service and the Department of Work and Pensions in the most serious of cases. She has significant experience of representing interested persons where there has been a death in custody and has a detailed understanding of the relevant prison service instructions relevant to emergency responses and the management of prisoners at risk of harm to self, to others and from others.

Kirsten is a specialist in inquests arising out of deaths in custody and she now receives instructions on behalf of prisons and relevant healthcare providers. Kirsten has also been instructed in a number of inquests involving deaths where there has been recent contact with the police, representing individual officers and police forces.

Kirsten is organised and approachable with an excellent understanding of the difficulties that witnesses face giving evidence about their involvement in cases before the Coroner's Court. Kirsten has undertaken training in respect of questioning of vulnerable witnesses, applicable equally in the Coroner's Court as in the Crown Court. Kirsten is confident handling expert witnesses and is used to doing so in both an inquisitorial and adversarial setting.

Kirsten has recently represented a defendant in a fraud matter linked to the death of a baby in a



Education:

2005 - Newcastle University, LLB

2006 - Nottingham Law School, BVC ('very competent')

Career:

2009 - Pupil at Park Court Chambers, Leeds

2010 - Tenant at Park Court Chambers

Tenant at Park Square Barristers

Appointments:

2012 - Government Legal Department panel counsel B list

2019 - List B of the Panel of Specialist Regulatory Advocates

Memberships:

North Eastern Circuit

Park Square Barristers
6 Park Square East
Leeds LS1 2LW

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info@psqb.co.uk
DX number: 26402
Leeds Park Square

Park Square Barristers
Newham House
96-98 Borough Road
Middlesbrough TS1 2HJ

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cot, where the co-accused initially facing a charge of gross negligence manslaughter, pleaded guilty to health and safety offences arising out of the design and manufacture of the cot.

Kirsten has been Government Legal Department panel counsel since 2012 and was appointed to the B panel of the specialist regulatory advocates in 2019.

Recent inquests

- Inquest into the death of MGN – death of a detainee in police custody where the deceased died of epilepsy. The jury returned a narrative conclusion. The inquest explored issues surrounding risk assessments in custody, training of police staff, the adequacy of medical assessments and whether the welfare checks conducted complied with the Police and Criminal Evidence Act. Representing an individual detention officer. (November 2019)
- Inquest into the death of SW – death of a prisoner as a result of hanging. The jury returned a conclusion of suicide. The inquest explored issues about the management of the ACCT (assessment care in custody and teamwork) on which the deceased's risk of harm to himself was being monitored and his discharge from mental health services. Representing the prison. (October 2019)
- Inquest into the death of CM – death of a prisoner as a result of an accident where there had been a long delay in the ambulance attending the deceased and where a falls risk assessment had not been completed on a man with a history of falls. Representing the prison. (May 2019)
- Inquest into the death of AA – death of an 11 year old in a road traffic collision, involving three vehicles, following the acquittal of one of the drivers of causing death by dangerous driving. Representing the insurers of one of the drivers. (May 2019)
- Inquest into the death of MG – death of a prisoner from natural causes, where there were questions whether there had been missed opportunities to treat him in the hospital or to take him back to hospital when his condition deteriorated. Representing the prison. (April 2019)
- Inquest into the death of LB – death of a young woman, with a history of epilepsy, who died whilst in the process of appealing a decision made by the DWP regarding her entitlement to benefits. Representing the DWP. (March 2019)
- Inquest into the death of SH – death of a prisoner from misadventure, 5 days before he was due to be released. The scope of the inquest included the input and assessments completed by the mental health team and his movements to different parts of the prison as well as the management of the ACCT process. Representing the prison. (March 2019)
- Inquest into the death of SH – death of a serving police from suicide, following multiple contacts with mental health services. Representing the police service. (December 2018)
- Inquest into the death of JP – death of a prisoner from suicide. The scope of the inquest included considered a missed roll call by an officer support grade. Representing the prison. (October 2018)

- Inquest into the death of DS – death of a prisoner from misadventure, following the passing of a package of drugs to the deceased by a visitor. Representing the prison (October 2018)
- Inquest into the death of AW – death a prisoner in hospital as a result of an accident, having suffered from respiratory problems. Representing the prison. (May 2018)

Recent regulatory cases

- R v CW and JB – representing the second defendant in a case arising out of the design and manufacture of a cot, in which a baby died.

Forthcoming Seminars

Kirsten will be speaking at the following seminars:

Kirsten presented seminars on developments in Coronial Law and Article 2 inquests in May and July 2019. Please contact madeleine@psqb.co.uk if you would like Kirsten to present these seminars in-house or provide bespoke training on any other matter relating to inquests.

Contact Kirsten's clerk

Madeleine Gray on 0113 202 8603

Patrick Urbina on 0113 213 5250

Crime

Kirsten Mercer is an experienced criminal practitioner. She is frequently instructed to prosecute and defend in serious cases. Her work encompasses the spectrum of criminal offending including homicide, serious violence and multi-handed conspiracies. She is dedicated to ensuring that each case is thoroughly prepared and that all relevant material is obtained and before the jury to ensure the very best representation for each client.

She has significant experience of dealing with cases involving young and vulnerable witnesses and defendants. She also has a thorough understanding of Proceeds of Crime matters, in particular the complexities which arise in cases where there are multiple defendants and shared assets. She deals with cases where the prosecution seek to re-visit POCA orders some years after the original confiscation orders were made.

Kirsten has particular experience of cases where there are difficult disclosure issues. She is regularly instructed by the Crown Prosecution Service in cases where there are known to be complexities in disclosure including multi-handed homicide cases and multi-agency prosecutions where there are issues of disclosure spanning multiple public bodies.

Kirsten is a grade 3 prosecutor and was appointed to the B panel of specialist regulatory prosecution advocates in 2019. Kirsten has acted as independent counsel for the National Crime Agency.

Notable cases

- R v AR and others – prosecuting a serious s.18 offence where the driver of a vehicle inflicted injuries to a man using his car following a minor collision between two vehicles in a car park. The passengers in the vehicle were also convicted of causing serious injury by dangerous driving for their actions in the vehicle.
 - R v CS and others – representing the third defendant in a conspiracy to supply class A drugs.
 - R v CW and JB – representing the second defendant in a case arising out of the design and manufacture of a cot, in which a baby died.
 - Youth Court matter – prosecuting a defendant charged with sexual offences on very young complainants, aged just 5 and 7.
 - R v RF – representing the defendant in a burglary matter where the witnesses were all children aged 9, who had to be cross-examined with varying degrees of assistance from an intermediary.
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Contact Kirsten's clerks

[Andrew Thornton](#) on [0113 213 5202](#)

[Gina Hawkins](#) on [0113 213 5205](#)

[Rebecca Wilson](#) on [0113 213 5203](#)

[Hannah Dempsey](#) on [0113 213 5211](#)

[Elaine Foster-Morgan](#) on [0113 213 5217](#)

[Robyn Nichol](#) on [0113 213 5253](#)