

Clive Lewis QC

Call: 1987, Middle Temple, Q.C. 2006

First Counsel to the National Assembly for Wales
Recorder

Clive Lewis practices in all areas of public law and judicial review, European Community law and human rights law. He practices extensively in education law (dealing with all issues relating to secondary, further and higher education). He advises and represents claimants and defendants, including legal and central government, colleges and universities.

Clive is First Counsel to the Welsh Assembly Government. He was formerly on the Treasury A panel. He was also a Fellow of Selwyn College Cambridge and a lecturer in law at the University of Cambridge. He is the author of "Judicial Remedies in Public Law" (4th ed.) and an editor of the Supreme Court Practice (the White Book) and writes the section on judicial review. He is a contributor to "Education and the Courts" (2nd ed.)

Areas of Practice

Public Law and Judicial Review (including local government, mental health, community care, public procurement, and all aspects of public law)

European Union Law (including state aid, environment, aviation, agriculture, free movement of workers and all other aspects of EU law)

Human Rights

Education (including school organisation, exclusions and admissions, universities and higher education)

Employment (especially discrimination).

Notable Recent Cases

R (Al-Sadoon) v Secretary of State for Defence

Application of the ECHR to UK forces in Iraq

Zalewska v Department for Social Planning

Compatibility of rules governing Polish workers with EU law

R (Wheeler) v Prime Minister

Whether ratification of the Treaty of Lisbon required a referendum

Isle of Anglesey v Welsh Ministers

Regulation of sea fisheries

R (Bradley) v Department for Work and Pensions

Lawfulness of decision not to accept recommendations of the Ombudsman

R (E) v Jews Free School

Lawfulness of admissions policy giving preference to orthodox Jews

R (Chandler) v London Borough of Camden

Lawfulness of decision to promote academy

R (M) v Hammersmith and Fulham London Borough Council

Obligations of local authorities to accommodate 17 year olds

R (Jackson) v Attorney General

Challenge to validity of Hunting Act 2004

R. (F.) v. Secretary of State for the Home Department

[2007] 1 WLR 2523; Times, August 28 2007, CA

Judicial review was not available to challenge a refusal by the Asylum and Immigration Tribunal to grant permission to appeal against an immigration judge's decision

Miles v. National Assembly for Wales and Caerphilly County Borough Council

[2007] JPL 1235

Application for lawful development certificate – Whether permissible to aggregate days of individual motorcycle use with events-based use to obtain certificate for general motorcycling

R. (Strickson) v. Preston County Court [2007] ACD 37

A judge had acted within jurisdiction when deciding whether permission to appeal against the striking out of a claim should be granted, and there were no exceptional circumstances justifying judicial review of the decision to refuse permission to appeal

R. (Bradley and Others) v. Secretary of State for Work and Pensions and Others

Times, February 27 2007

Pensions – Maladministration – Ombudsman's findings of fact are binding on ministers

Previous employment

1986-1993 Fellow in Law, Selwyn College, Cambridge
1991-1993 Lecturer in Law, University of Cambridge
1989-1991 Assistant Lecturer in Law, University of Cambridge
1983-1986 Lecturer in Law, University of East Anglia
1982-1983 Teaching Fellow, Dalhousie University, Canada

Publications

Judicial Remedies in Public Law (3rd ed, Sweet & Maxwell, 2004)
Remedies and the Enforcement of European Community Law (Sweet and Maxwell, 1996)
Editor - Supreme Court Practice ("The White Book")
Contributor - Administrative Court Practice (Butterworths)
Contributor – Education and the Courts (2nd Ed, Jordans)

Academic qualifications

MA (Law) University of Cambridge (1984)
LLM Dalhousie University, Canada (1982)
BA (Law) University of Cambridge (1981)

Professional memberships and other appointments

Member of the Editorial Board, Public Law
Administrative Law Bar Association (Committee member)
Bar European Group (Committee member)
Consultant editor *Social Care Law*