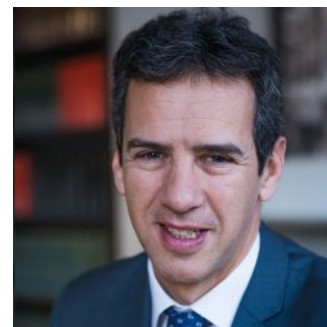

Jason Coppel QC

Jason Coppel's practice focuses on public law, procurement law and information law, with particular emphasis on EU law and human rights issues. He has appeared regularly in the Supreme Court and the Court of Justice of the European Union, and in many of the leading cases of recent years, including the Article 50 TEU litigation, **Miller v Secretary of State for Exiting the European Union**. He is ranked by the directories as a leading barrister in administrative law, civil liberties, EU law and procurement law. He was the Legal 500 EU and Competition Law Silk of the Year 2018. He is a Deputy High Court Judge.



Professional Summary

Called 1994
Appointed QC 2013

Specialisms

Public Law

Jason has a wide-ranging judicial review practice, representing claimants, NGOs and central and local government.

"Jason is one of the best public law silks around. His written work is superb and his advocacy is excellent. He is a pleasure to work with." (Legal 500, 2021)

"Extremely good on technical arguments, and excellent at identifying and homing in on the one or two points that will win a case. The court takes him very seriously." (Chambers & Partners 2021)

His significant recent cases include:

R (MP) v Secretary of State for Health

[2020] EWCA Civ 1634

Represented claimant challenging regulations extending charging of fees for NHS treatment to "overseas visitors".

R (Good Law Project & Runnymede Trust) v Prime Minister & Secretary of State for Health

CO/4240/2020

Represent claimant NGOs in challenge to appointment of friends and contacts of Ministers to top pandemic-related jobs without open competition.

R (Maternity Action) v Secretary of State for Health

C1/2020/1343

Represented claimant NGO challenging the discriminatory effect of regulations imposing charging for NHS services

R (Fair Play for Women) v UK Statistics Authority

[2021] 3 WLUK 158

Represented claimant pressure group in successful challenge to guidance on answering the "What is your sex?" question in the 2021 census.

R (Gardner) v Secretary of State for Health

[2020] EWHC 3715 (Admin)

Represent claimants in public law and human rights challenge to Government's policies regarding failure to protect care home residents during the early stages of the pandemic.

Contact Details

Jason.Coppel@11kbw.com

+44 (0)20 7632 8500

Clerk Tom Street

Clerk Christopher Smith

Contact Clerks

R (JT) v First Tier Tribunal

[2019] 1 WLR 1313

Represented Equality and Human Rights Commission intervening in successful challenge to “same roof rule” restricting criminal injury compensation for sexual offences.

Westminster City Council v Sport & Leisure Management

[2021] EWHC 98 (TCC)

Represented leisure centre operator in High Court proceedings concerning interpretation of contract with local authority for management of leisure centres

R (Hinsull) v Dorset CCG

[2019] EWCA Civ 1412

Represented the claimant challenging reorganisation of hospital services in Dorset.

R (Boris Johnson) v Westminster Magistrates Court

[2019] 1 WLR 6238

Represented Interested Parties defending Magistrates Court decision to issue a summons against Boris Johnson for misconduct in public office due to alleged lying during EU referendum campaign.

R (Law Centres Network) v Lord Chancellor

[2018] EWHC 1588 (Admin)

Represented claimant in successful judicial review of tender process for legal aid contracts to operate housing possession court duty schemes.

R (Gulf Centre for Human Rights) v Prime Minister

[2018] EWCA Civ 1855

Represented the claimant NGO challenging amendments to the Ministerial Code which remove the obligation upon ministers to comply with international law and uphold the administration of justice.

Gina Miller v Secretary of State for Exiting the European Union

[2017] 2 WLR 583

Litigation to establish whether the Government was entitled to notify the European Council under Article 50 TEU of the UK's intention to leave the EU without the prior authority of Parliament

Re Northern Ireland Human Rights Commission (Northern Ireland : Abortion)

[2019] 1 All ER 173

Represented Equality and Human Rights Commission in challenge to law restricting abortion in NI and human rights compatibility of that law.

R (A and B) v Secretary of State for Health

[2017] 1 WLR 2492

Represented Secretary of State in Supreme Court litigation finding no duty on the NHS to fund abortions for women travelling to England from Northern Ireland.

Human rights law

Jason has a wide-ranging human rights practice both in the domestic courts and in Strasbourg and has continued to act in cutting-edge human rights claims since he took silk in 2013. More recently, he has been a member of the panel of counsel of the Equality and Human Rights Commission and has both advised the Commission in high profile cases and represented the Commission before the Supreme Court.

“Excellent leader who is receptive and adaptable. Has the ear of the court” (Legal 500, 2021).

“He’s absolutely stellar on paper: Everything is analytically correct and written in a very convincing, persuasive and clear manner” (Chambers & Partners, 2020)

His notable recent cases in this field include:

Arron Banks v HMRC

[2020] UKUT 101 (TCC)

Represent Appellant in appeal to the Court of Appeal challenging discriminatory tax treatment of donations to UK Independence Party

R (Gardner) v Secretary of State for Health

[2020] EWHC 3715 (Admin)

Represent claimants in public law and human rights challenge to Government's policies regarding failure to protect care home residents during the early stages of the pandemic.

R (Miller) v College of Policing

[2020] HRLR 10

Represent defendant to challenge to guidance to police on recording hate crimes and hate incidents

Hughes and others v Pension Protection Fund

[2020] EWHC 1598 (Admin)

Represent the Secretary of State for Work and Pensions intervening in challenge to cap on pension compensation payable from the PPF.

MS (Pakistan) v Secretary of State for the Home Department

[2020] 1 WLR 1373

Represented Equality and Human Rights Commission acting as appellant in Supreme Court appeal concerning the immigration rights of individuals who have been subjected to human trafficking.

Catt v UK

(2019) 69 EHRR 7

Represented the UK in European Court of Human Rights proceedings challenging the policy of the police in recording and retaining personal data, on the grounds of breach of Article 8 ECHR.

Re Northern Ireland Human Rights Commission

[2019] 1 All ER 173

Represented Equality and Human Rights Commission in challenge to law restricting abortion in NI and human rights compatibility of that law.

R (JT) v First Tier Tribunal

[2019] 1 WLR 1313

Represented Equality and Human Rights Commission intervening in successful challenge to "same roof rule" restricting criminal injury compensation for sexual offences.

R (Crowter) v Secretary of State for Health

CO/2066/2020

Represent claimants challenging absence of time limits in Abortion Act 1967 for abortion in the case of disabled fetuses.

Procurement law

Jason is widely recognised as one of the leading silks practising in procurement law. He has conducted procurement litigation since 1998 and has been instructed in many of the landmark domestic cases. He also has an extensive advisory practice, specialising in issues such as the application of procurement law to development agreements and other property deals, the permissible grounds for variation of existing public contracts and the contracting authority status of quasi-public bodies such as universities.

"Provides fantastically clear and practical advice, and is a compelling advocate"; "He's hardworking and technically outstanding" (Chambers & Partners 2021)

"One of the top two performing QCs." (Legal 500, 2021)

His notable recent cases in this field include:

Stagecoach East Midlands v Secretary of State for Transport

[2020] EWHC 1568 (TCC)

Represented claimant train operating companies in challenge to disqualification from procurement for right to operate West Coast mainline and HS2.

R (Good Law Project and 3 MPs) v Secretary of State for Health

[2021] EWHC 346 (Admin)

Represented claimants in successful challenge to failure of Government to publish details of contracts awarded for PPE and other supplies to address the pandemic.

R (Good Law Project) v Minister for the Cabinet Office

HT-2020-000290

Represent claimant in challenge to award of contract for market research services without competition to “friends” of the Minister and Dominic Cummings

AEW v Basingstoke Council

[2019] EWHC 2050 (TCC)

Represented defendant in EU law-based challenge to large-scale development agreement for leisure park and retail complex.

AbbVie Ltd v NHS Commissioning Board

[2019] EWHC 61 (TCC)

Represented claimant challenging £1bn procurement of hepatitis C drugs – the largest ever drugs procurement by the NHS.

SRCL v NHS Commissioning Board

[2019] PTSR 383

Represented claimant company challenging auction for clinical waste services on grounds that the defendant had accepted an abnormally low tender.

Amey Highways Ltd v West Sussex CC

[2019] PTSR 1995

Represented defendant to procurement challenges to award of high value highways maintenance contract, and subsequent decision to abandon the procurement.

Alstom UK, Bombardier Transport & Hitachi Rail v London Underground Limited

[2018] EWHC 2926 (TCC)

Represented defendant to very high value procurement challenges to the award of contracts for new London Underground trains

Ryhurst Limited v Whittington NHS Trust

189 Con. L.R. 83

Represented defendant to claim by preferred bidder complaining of cancellation of tender process in the aftermath of Grenfell Tower Fire.

Circle (Nottingham) Ltd v NHS Rushcliffe CCG

[2019] EWHC 3635 (TCC)

Represented health service body in procurement and state aid challenge to tender process and method of financing of NHS hospital trust

R (Wylde) v Waverley BC

[2017] PTSR 1245

Represented defendant council in leading case on whether objectors to development can have standing to rely upon the Public Contracts Regulations.

EU law

Jason has been a leading practitioner in the EU law field for many years and has appeared at all levels in the domestic courts, as well as on several occasions in the Supreme Court and the

Court of Justice of the European Union. Recently, he has acted for the Government in Supreme Court cases on Brexit matters and for Claimants in large scale EU and competition law challenges. He was awarded the Legal 500 EU and Competition Law Silk of the Year 2018 and has been nominated for the equivalent Chambers & Partners award.

“He is an extremely powerful and effective advocate and is genuinely respected by the judiciary” (Chambers & Partners, 2021)

“A very impressive operator” who *“has a strong reputation and is a persuasive advocate”* (Legal 500, 2020)

Hughes and others v Pension Protection Fund

[2020] EWHC 1598 (Admin)

Represent the Secretary of State for Work and Pensions intervening in challenge to cap on pension compensation payable from the PPF

Stagecoach East Midlands v Secretary of State for Transport

[2020] EWHC 1568 (TCC)

Represented claimant train operating companies in EU law-based challenge to disqualification from procurement for right to operate West Coast mainline and HS2.

R (Good Law Project and Everydoctor) v Secretary of State for Health

HT-2020-000226

Represent claimants in five claims challenging the steps taken by the Secretary of State to purchase PPE in response to the pandemic.

The UK Withdrawal From The European Union (Legal Continuity) (Scotland) Bill

[2019] 2 WLR 1

Supreme Court challenge to legality of Scottish Bill concerning allocation of EU legislative powers after Brexit.

Newby v Food Standards Agency

[2019] UKSC 18

Represented FSA in challenge to its actions seeking to enforce EU rules on meat production. The case was referred to the CJEU and there were several hearings about interim relief pending the CJEU's ruling; it then proceeded through the domestic courts to the Supreme Court..

Information law

Jason has developed an extensive practice in data protection and freedom of information cases, and prior to taking silk he was a member of the Attorney General's Freedom of Information Panel and of the panel of counsel instructed by the Information Commissioner.

“He is highly organised and someone you don't want on the other side” (Legal 500, 2021)

His notable cases include:

R (Miller) v College of Policing

[2020] HRLR 10

Represent defendant to challenge to guidance to police on recording hate crimes and hate incidents

R (Fair Play for Women) v UK Statistics Authority

[2021] 3 WLUK 158

Represented claimant pressure group in successful challenge to guidance on answering the “What is your sex?” question in the 2021 census.

Surrey Searches and others v Dwr Cymru/Welsh Water and others

BL-2019-002362

Represent defendant water company in challenge seeking to recover charges made for CON29DW searches.

Catt v UK

(2019) 69 EHRR 7

Represented the UK in European Court of Human Rights proceedings challenging the policy of the police in recording and retaining personal data, on the grounds of breach of Article 8 ECHR.

Magyar Helsinki Bizottság v Hungary

[2016] ECHR 975

Represented the UK Government intervening before the Grand Chamber of the European Court of Human Rights on the issue of whether Article 10 ECHR confers a right to freedom of information.

R (Catt) v Commissioner of Police for the Metropolis

[2015] 2 WLR 664 (SC)

Represented Home Secretary intervening in Supreme Court challenge to police policies on recording and retention of information.

R (T) v Greater Manchester Police

[2015] AC 49 (SC)

Represented the Secretaries of State in a landmark challenge to disclosure of conviction and caution information on criminal records checks.

Community Care

Jason has acted in several cases concerning the fall-out from **Cheshire West** and the **Re X litigation**, including **Re NRA** [2015] EWCOP 59 and **Re JM** [2016] 4 WLR 64 in which the Court of Protection has dealt with issues of representation of incapacitated persons. He also acted for the Government in a recent challenge brought by local authorities to the funding made available for the deprivation of liberty safeguards: **R (Liverpool City Council) v Secretary of State for Health** [2017] EWHC 986 (Admin). He has acted as legal advisor to Essex University's Autonomy Project, in particular on its study of compliance of the Mental Capacity Act 2005 with the Convention on the Rights of Persons with Disabilities.

Pensions

Jason's extensive experience of pensions law has included long-running discrimination litigation regarding access to pension rights, age discrimination issues, the Local Government Pension Scheme and advising and representing the Department for Work and Pensions on the British Steel Pension Scheme, Guaranteed Minimum Pensions and state pension rights for transsexuals. Most recently, he has advised the PPF on levy and other issues.

Significant recent cases include:

Hampshire v Board of the Pension Protection Fund

[2016] Pens LR 281

Compatibility with EU law of the statutory cap on PPF compensation referred to the CJEU.

MB v Secretary of State for Work and Pensions

[2017] 1 All ER 338

Supreme Court referred questions to CJEU concerning compatibility with EU law of refusal of state pension on grounds that a transsexual person had not obtained a Gender Recognition Certificate on account of being married.

Parris v Trinity College Dublin

[2017] ICR 313

CJEU decision on sexual orientation and age discrimination in payment of survivors' pensions.

Walker v Innospec

[2016] ICR 182

Whether the Framework Directive requires equal payment of survivors' pensions accrued before it came into force. Pending before the Supreme Court.

Recommendations

Chambers and Partners 2021 edition has said Jason is *extremely good on technical arguments, and excellent at identifying and homing in on the one or two points that will win a case. The court takes him very seriously*, *“he really fights his client’s corner”*, *“he’s extremely bright, strategic and user-friendly”*, *“provides fantastically clear and practical advice, and is a compelling advocate”*, *“he’s hardworking and technically outstanding”*, *“he is an extremely powerful and effective advocate and is genuinely respected by the judiciary”*.

Jason has been described in the 2021 edition of **Legal 500** as an *“excellent leader who is receptive and adaptable. Has the ear of the court”*, *“one of the top two performing QCs”*, *“Jason is one of the best public law silks around. His written work is superb and his advocacy is excellent. He is a pleasure to work with”*, *“he is highly organised and someone you don’t want on the other side”*.

Chambers and Partners has said about him that he has *“laser-like precision and clear, commercial legal advice. Inspires real confidence ... He is wonderfully clear and persuasive in court ... a top-drawer silk for frontline cases”*.

Chambers and Partners has also said about Jason: *“he is very, very sound, and very well-liked by clients”*, *“is extremely able, and a very impressive opponent”*, *“provides astoundingly clear and thoughtful written advice, and is very sensible”*, *“extremely good technically and very knowledgeable in public procurement”*, *“extremely good, feared as an opponent and a very welcome member of the team when an ally”*, *“he is crisp, to the point and doesn’t go on. He’s sophisticated on information systems, and delivers a seamless service”* and he *“has a detailed understanding of information law, as well as an ability to provide clear strategic advice. You can have confidence in his judgment”*.

Jason has been described in **Legal 500** as a *“a creative thinker and a determined fighter in court”*, *“he is popular with clients and very easy to work with”*, *“he has outstanding knowledge and experience of human rights law”*, *“he always brings a fresh perspective to a case”*, *“he knows which points to emphasise for maximum effect”*, *“a very measured advocate who is taken seriously by the judges”* and as having a *“rare ability to make difficult concepts sound straightforward”*, *“a market leader in the making”*.

Jason was nominated for the award of Human Rights and Public Law Silk of the Year in the Chambers Bar Awards 2015 and 2017 and for the award of Barrister of the Year in The Lawyer Awards 2016. He was awarded Legal 500 EU and Competition Law Silk of the Year 2018.

He was *The Times* Lawyer of the Week on 18 February 2016: see article [here](#).

Education

Brasenose College, Oxford University, B.A. (Law), First Class Honours (1990)

European University Institute, Florence, LLM in European, Comparative and International Law (1992)

Other

Languages:

French and Italian



ADDRESS

11KBW
11 King's Bench Walk
Temple
London
EC4Y 7EQ



CONTACT US

T +44 (0)20 7632 8500

F +44 (0)20 7583 9123

OUT OF HOURS CLERK

T +44 (0)7824 365 991



EMAIL

clerksroom@11kbw.com

DX NUMBER

LDE 368
