
Raphael Hogarth

“He has phenomenal litigation skill and impeccable legal judgement. He works like a Trojan and is immensely bright and capable.” **Chambers and Partners**

Raphael specialises in public, data protection, employment, commercial, international and sports law. His clients have ranged from individuals to private and public companies, NGOs, regulators, government departments and other public authorities.

Raphael is ranked by Chambers and Partners in public law, data protection, public procurement, education and employment law. The directories describe him as *“a serious talent”* and *“an exceptional barrister”* who *“adds immense value”* and *“finds arguments that others miss”*, *“fiercely intelligent”*, *“very impressive”*, *“very commercial”*, *“an absolute pleasure to work with”*, *“incredibly strategic”* and *“meticulous”*, with an *“incredible work ethic”* and *“excellent drafting skills”*.

He is frequently instructed in complex and high-profile disputes. Recent examples include the **Wikipedia** challenge to online safety regulations, the **Thompson v Met Police** case on the use of live facial recognition by the police, the **Apple** case about investigatory powers, the **GB News** challenge to Ofcom’s decision that a Q&A programme with Rishi Sunak breached impartiality rules, the **Deliveroo** appeal before the Supreme Court on human rights and collective bargaining in the gig economy, the **Abbasi** appeal before the Supreme Court on restricted reporting orders and freedom of expression, and the Clearview challenge by an American facial recognition company to a £7.5 million fine for alleged breaches of UK privacy law.

Before coming to the Bar, Raphael was a leader writer and columnist at *The Times*, and a researcher at the Institute for Government. He remains an associate of the Institute and is a regular media commentator on constitutional issues. He was also a visiting lecturer in public law on the Graduate Diploma in Law at City University.

Specialisms

Public Law

Raphael is ranked in this area by both Chambers and Partners and the Legal 500, where he is described as *“a serious talent in the public law and human rights space”* and *“a top choice”*.

He is particularly interested in the use of public law to advance and defend commercial interests, and has acted in several disputes in which commercial entities have challenged regulatory decisions, procurement processes or subsidy-related decisions.

He also has extensive experience of working on strategic litigation, including obtaining and resisting costs-capping orders in public interest proceedings and advising on the interplay between judicial review and wider campaigning strategy.

Recent highlights include:

- **Apple Inc v Secretary of State for the Home Department** [2025] UKIPTrib 1 – acted for Apple in a claim relating to the Secretary of State’s powers to issue technical capability notices under the Investigatory Powers Act 2016, successfully resisting an application for all details of the case to be private.



Professional Summary

Called 2020

Contact Details

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Clerk Harry Gilson

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[Contact Clerks](#)

- ***R (Wikimedia Foundation and BLN) v Secretary of State for Science, Innovation and Technology*** [2025] EWHC 2086 – acted for the provider of Wikipedia, and an anonymous Wikipedia editor, in the first case brought under the Online Safety Act 2023.
- ***R (Thompson and Carlo) v Commissioner of Police of the Metropolis*** [2025] EWHC 2355 – acting for the Met Police in a challenge to the use of live facial recognition in London.
- ***Abhasi v Newcastle upon Tyne Hospitals NHS Foundation Trust; Haastrup v King's College Hospital NHS Foundation Trust*** [2025] UKSC 15 – acted for an NGO intervening in a Supreme Court appeal about injunctions preventing the identification of clinicians in end-of-life cases.
- ***R (GB News Limited) v Office of Communications*** [2024] EWHC 2658 (Admin) – acted for Ofcom, successfully resisting an application for interim relief in a challenge by GB News to a decision that a Q&A Programme with Rishi Sunak MP breached impartiality rules.
- ***R (Independent Workers' Union of Great Britain) v Central Arbitration Committee (Interested Party: Deliveroo)*** [2024] 2 All ER 1 – acted for Deliveroo in a Supreme Court appeal about whether collective bargaining legislation breaches riders' rights under Article 11 ECHR. This was one of *The Lawyer's* Top 10 appeals of the year.
- ***R (West Coast Railway Company Ltd) v Office of Rail and Road*** [2024] 4 WLR 12 – acted for the UK's largest heritage railway company, operator of the so-called 'Hogwarts Express' Jacobite service, in a judicial review of a certification decision by the rail regulator.
- ***R (Shashikanth) v NHS Litigation Authority and NHS Commissioning Board (aka NHS England)*** [2024] EWCA Civ 1477 – acted for NHS England in an appeal concerning the amenability to judicial review of a contractual adjudicator.
- ***R (DF) v Essex County Council*** [2024] EWCA Civ 1545 – acted for the successful authority in an appeal concerning the relationship between the Housing Act 1996 and the Children Act 1989.
- ***R (London Borough of Islington) v Secretary of State for Education*** [2024] EWCA Civ 951, [2024] EWHC 1798 (Admin) – acted for the Claimant in proceedings before the High Court and Court of Appeal to challenge to a 'forced academisation'.
- ***Arkorful v Social Work England*** [2024] EWHC 73 (Admin) – acted for the successful regulator in two joined High Court appeals of adjudicators' decisions in fitness to practise proceedings.
- ***R (Good Law Project) v Prime Minister & Others*** [2023] 1 WLR 785 – acted for the Claimant before the High Court and Court of Appeal in a challenge to the use of private email accounts and phones for government business.
- ***R (Gardner & Harris) v Secretary of State for Health and Social Care*** [2022] EWHC 967 (Admin) – acted for the successful Claimants in a judicial review of the government's decisions in relation to care homes during the first wave of the pandemic. This was one of *The Lawyer's* Top 20 cases of 2022.
- ***R (A and others) v Secretary of State for the Home Department*** [2022] EWHC 360 (Admin) – acted for the successful Home Secretary in a challenge to the government's flagship asylum reforms.
- ***R (Good Law Project) v Secretary of State for Health and Social Care (Interested Parties: (1) Bunzl (2) Tulchan Communications (3) Lord Feldman)*** [2022] EWHC 2888 (TCC) – successfully obtained a costs-capping order in a challenge to the award of a high-value PPE contract to a firm with links to the former chair of the Conservative Party.
- ***R (Good Law Project) v Secretary of State for Health and Social Care (Pharmaceuticals Direct Limited)*** UKSC 2022/0082 (public settlement reached) – acted for the Appellant in a Supreme Court appeal about service in judicial review proceedings.
- ***In the matter of the Prime Minister*** – instructed by the Good Law Project, with Jason Coppel KC, to advise on the Parliamentary process for disciplining MPs following the announcement that Boris Johnson had been fined for a lockdown breach (published here), and then on the procedure for the Privileges Committee's inquiry into Boris Johnson (published here).

Information, Data and Technology

Raphael is ranked as leading junior in this area by both Chambers and Partners and the Legal 500. He is frequently instructed in data protection, privacy, technology and information law matters. He also appeared in the first litigation under the Online Safety Act 2023 to come before the courts.

Recent experience in the data protection, privacy and technology field includes:

- ***Clearview AI v Information Commissioner*** [2025] UKUT 319 (AAC) – acted for a US facial recognition company in this high-profile challenge to enforcement and penalty notices issued by the Commissioner for alleged breaches of the GDPR and UK GDPR.

- ***R (Wikimedia Foundation and BLN) v Secretary of State for Science, Innovation and Technology*** [2025] EWHC 2086 – acted for the provider of the Wikipedia service, and an anonymous Wikipedia editor, in the first case brought under the Online Safety Act 2023.
- ***Advice on data breaches*** – advice to several controllers in the public and private sector on regulatory or civil proceedings arising from cyber-attacks.
- ***Proceedings against a social media company*** – advice to a platform in relation to proceedings for alleged breaches of data protection legislation.
- ***Threatened class action against a technology company*** – instructed in relation to a threatened class action against a company in the artificial intelligence sector for alleged data breaches.

Recent experience in the Freedom of Information and Environmental Information field includes:

- ***Cabinet Office v Information Commissioner and Good Law Project*** [2025] UKFTT 00306 (GRC) – acted for GLP in an appeal against an Information Notice issued by the Commissioner, relating to a request by a GLP journalist for the name of the fund operating Rishi Sunak’s ‘blind trust’ while he was Prime Minister.
- ***Cabinet Office v Information Commissioner and Tommy Sheppard MP*** [2024] UKUT 76 (AAC) – acted for Tommy Sheppard, then the Scottish National Party’s Spokesman on Scotland, in an Upper Tribunal appeal concerning a request for polling information on attitudes to the Union. The hearing was reported on the front page of The National, which has covered the appeal [here](#), [here](#), [here](#), and [here](#).
- ***Secretary of State for Energy Security and Net Zero v Information Commissioner*** [2024] UKFTT 184 (GRC) – acted for the successful Information Commissioner in an environmental information appeal relating to official advice on a Nationally Significant Infrastructure Project.
- ***Murray-Smith & ors v Information Commissioner and Transport for London*** [2024] UKFTT 001064 (GRC) – acted for the successful public authority in five joined appeals concerning information about cameras in London and the public safety, national security, course of justice and manifest unreasonableness exemptions under the EIR.
- ***Tarcy v Information Commissioner and Transport for London*** [2024] UKFTT 778 (GRC) – acted for the successful public authority in an appeal concerning graffiti damage and the law enforcement exemption under FOIA.
- ***Williams v Information Commissioner*** [2023] UKUT 312 (AAC) – acted for the successful Information Commissioner in an Upper Tribunal appeal concerning vexatious requests under s.14 FOIA.
- ***Ingle v Information Commissioner and Cambridgeshire County Council*** [2023] UKUT 80 (AAC) – acted for the successful Information Commissioner in an Upper Tribunal appeal concerning the personal information exemption under FOIA.

Employment and Commercial

Raphael is ranked as an “*up and coming*” junior in employment law by Chambers and Partners, where he is described as “*extremely clever, with an elegant and precise writing style.*” He accepts instructions across the full range of commercial and statutory employment matters. Recent highlights in the appellate courts include:

- ***R (Independent Workers’ Union of Great Britain) v Central Arbitration Committee (Interested Party: Deliveroo)*** [2024] 2 All ER 1 – acted for Deliveroo in a Supreme Court appeal about collective bargaining rights and worker status. This was one of *The Lawyer’s* Top 10 appeals of the year.
- ***Boydell v NZP Ltd*** [2023] EWCA Civ 373 – acted for the successful employer in proceedings to restrain a departing employee from breaching non-compete, non-deal and non-solicit clauses. See [podcast episode](#).

Raphael also regularly appears in the Employment Tribunal. He is frequently instructed from an early stage in proceedings in order to advise on tactical issues. He has acted for employers across a wide range of sectors including financial services, professional services, technology, leisure, retail and local government.

Procurement and Subsidy Control

Raphael is ranked as a leading junior in this area by Chambers and Partners and as “*Rising Star*” by the Legal 500. He accepts instructions from economic operators and authorities.

In the procurement sphere, he has experience of acting in civil proceedings before the Technology and Construction Court and judicial review proceedings before the Administrative Court.

Raphael also accepts instructions in subsidy control matters, including advisory work and judicial reviews of subsidy control decisions before the Competition Appeal Tribunal.

Recent highlights include:

- ***iPlato Healthcare Limited v NHS England*** HT-2024-000041 – acted for the Claimant in a High Court challenge to an exclusion decision relating to a major NHS framework.
- ***Consultant Connect Limited v (1) NHS Bath ICB (2) NHS Gloucestershire ICB and (3) NHS Bristol ICB (Interested Party: Monmedical Limited)*** [2022] EWHC 2037 (TCC) – acted for the successful Claimant in this wide-ranging public procurement challenge, in which the Court made the first ever contract shortening order upon finding several breaches of the Public Contract Regulations 2015.
- ***R (Good Law Project) v Secretary of State for Health and Social Care (Interested Parties: (1) Bunzl (2) Tulchan Communications (3) Lord Feldman)*** [2022] EWHC 2888 (TCC) – acted for the Claimant in a judicial review of the award of a high-value PPE contract to a firm with links to the former chair of the Conservative Party.
- ***R (Good Law Project) v Secretary of State for Health and Social Care (Pharmaceuticals Direct Limited)*** UKSC 2022/0082 (public settlement reached) – acted for the Appellant in this Supreme Court appeal about extending time in a claim for breaches of the Public Contract Regulations 2015.

Public International Law

Raphael accepts instructions on Public International Law matters and has experience of advising on and litigating these issues in both domestic and international forums.

His recent experience includes:

- ***Proceedings before a UN agency*** – advising on proceedings before the supervisory body of one of the United Nations’ specialised agencies.
- ***Advice on CRPD*** – advising on the role of the Convention on the Rights of Persons with Disabilities (CRPD) on claims for disability discrimination contrary to Article 14 ECHR.
- ***Clearview AI v Information Commissioner*** [2025] UKUT 319 (AAC) – acted for a US facial recognition company in this high-profile challenge to enforcement and penalty notices issued by the Commissioner for alleged breaches of the GDPR and UK GDPR.
- ***R (Independent Workers’ Union of Great Britain) v Central Arbitration Committee (Interested Party: Deliveroo)*** [2024] 2 All ER 1 – appeal concerning whether Deliveroo riders were employees for the purposes of Article 11 ECHR, having regard to the criteria laid down in International Labour Organization Recommendation 198 on the employment relationship.

Sport

Raphael accepts instructions in sports law matters, with a focus on regulatory work. He has particular expertise on the Football Governance Act 2025 and is able to draw on his extensive experience of acting both for and against regulators (including Ofcom, Ofsted, the Office of Rail and Road, the General Medical Council, Social Work England and the Information Commissioner) to advise on strategy in contentious regulatory matters.

Recommendations

“Raphael is a serious talent in the public law and human rights space. He is one to watch. He’s great to work with – excellent communication, fast, reliable, proactive. A top choice.” **Legal 500 2026**

“Raphael is a brilliant lawyer, who is completely delightful to work with. He is phenomenal.” **Chambers and Partners 2026**

“Raphael is an excellent junior. He has a very sharp intellect and is a pleasure to work with.” **Chambers and Partners 2026**

"He is a fantastic junior who adds immense value on complex matters." **Chambers and Partners 2026**

"Raphael's attention to detail and ability to develop nuanced arguments but present them in a simple way to clients is a real strength." **Chambers and Partners 2026**

"Raphael Hogarth is extremely clever, with an elegant and precise writing style." **Chambers and Partners 2026**

"Raphael Hogarth does superb written work." **Chambers and Partners 2026**

"Raphael is an exceptional barrister. His legal research and his written advocacy are top notch." **Legal 500 2025**

"Raphael is fiercely intelligent and immensely hardworking." **Legal 500 2025**

"Raphael is extremely knowledgeable on data protection issues, responsive and easy to work with." **Legal 500 2025**

"Raphael is very pragmatic, with superb attention to detail, and his technical knowledge is impressive." **Legal 500 2025**

"Raphael is incredibly bright. He is a very good communicator and is incredibly strategic." **Chambers and Partners 2025**

"Raphael is very strategic in this thinking and finds arguments that others miss." **Chambers and Partners 2025**

"Raphael's written submissions and advocacy are excellent – he understands the issues in a case and deals with them with ease." **Chambers and Partners 2025**

"He provides very commercial and practical advice." **Legal 500 2024**

"An engaged and proactive junior with an incredible work ethic." **Legal 500 2024**

"His advice is meticulous." **Legal 500 2024**

"Raphael is a very impressive junior. He is smart, hard-working, passionate and always responsive." **Chambers and Partners 2024**

"He is very user-friendly and his drafting skills are excellent." **Chambers and Partners 2024**

"Raphael is proactive, gets into the detail and turns matters around quickly." **Chambers and Partners 2024**

Education

2020: Bar Professional Training Course, City University (Outstanding)

2019: Graduate Diploma in Law, City University (Distinction, 2nd in year)

2016: BA Philosophy, Politics and Economics, Oxford University (First Class)

Awards

Sir John and Sophie Laws Scholarship (Bar European Group), 2021

Administrative Law Bar Association Mooting Competition – Winner, 2019

11KBW Prize for Public Law (City University), 2019

Monckton Chambers Prize for European Law (City University), 2019

Falcon Chambers Prize for Land Law (City University), 2019

GDL Mooting Competition (City University) – Winner, 2019

Bedingfield Scholarship (Gray's Inn), 2019

GDL Scholarship (Gray's Inn), 2018

GDL Scholarship (City University), 2018

Gibbs Prize in Politics (Oxford University), 2014

Other

Before coming to the Bar, Raphael was a leader writer and columnist at *The Times*, where he wrote a weekly column about Brexit and trade policy.

He also worked at the Institute for Government, where he was a researcher on Brexit and the constitution.

He remains an Associate of the Institute for Government, and has given expert evidence on constitutional matters to several parliamentary select committees. Raphael is also a regular media commentator on the constitution and public law. He writes on these subjects for *Prospect* and *The Times*, and has appeared as a constitutional expert on programmes such as *Newsnight*, BBC News, Sky *Sunrise*, *PM* and the *Today* programme.

Raphael is a member of the Administrative Law Bar Association (ALBA), and was a contributor to ALBA's submission to the government's consultation on reforms to judicial review remedies.

In the 2019-2020 academic year, he was a visiting lecturer in public law on the Graduate Diploma in Law (GDL) at City University.

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