

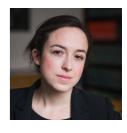
Zoe Gannon

Zoe Gannon has significant experience in the areas of public, human rights, local government, education, procurement, data protection and information law.

She is recognized in Chambers and Partners for Public and Administrative Law, Education and Local Government and in Legal 500 for Education and Local Government. She has been described as "pragmatic and fiercely intelligent", "a very creative barrister who thinks outside the box", and as having "an excellent legal brain".

Zoe is on both the Equality and Human Rights Commission's Panel of Counsel (B Panel) and the Attorney General's "B" Panel of Counsel.

Zoe has considerable trial experience both as sole counsel and within larger teams. She is also frequently involved in appellate litigation including in the European Court of Human Rights.



Professional Summary

Called 2014

Contact Details

Zoe.Gannon@11kbw.com +44 (0)20 7632 8500 Clerk Harry Gilson Clerk Iva Mirjam Stipanovic Clerk Isabella Quill Contact Clerks

Specialisms

Public, Human Rights and Regulatory

"Zoe has an excellent grasp across a range of areas in public law, and she is highly regarded by clients." (Chambers and Partners, 2024, Administrative & Public Law)

"Zoe is a friendly and approachable advocate who is able to turn around complex advice quickly." (Chambers and Partners, 2024, Administrative & Public Law)

"She has an excellent legal brain." (Chambers and Partners, Local Government, 2024)

Zoe regularly acts for and advises public bodies, commercial entities and individuals concerning public law and judicial review. This includes cases with human rights, regulatory, procurement and/or commercial elements.

Zoe has also been instructed in relation to applications to the European Court of Human Rights by individuals and companies.

In terms of her regulatory work Zoe has been instructed by and acted for and against a number of regulatory bodies, in the High Court and in Disciplinary Tribunals including:

- Bar Standards Board,
- · Care Quality Commission,
- Local Government Ombudsman,
- · Solicitors Regulatory Authority,
- Royal Institute of Chartered Surveyors, and
- Information Commissioner.

Cases include:

• *R (on the application of Jwanczuk) v Secretary of State for Work and Pensions* [2023] EWCA Civ 1156 (permission granted to appeal to the Supreme Court led by James Eadie KC) case involving Article 14 and A1P1 and constitutional issues as to the effect of a decision of the Norther Ireland Court of Appeal.

- *R (on the application of Motherhood Plan) v HM Treasury* [2021] P.T.S.R. 1202 Led by Julian Milford KC and Rupert Paines. Case involving Article 14, A1P1 and discrimination claims in context of Covid 19 government support.
- Led by Jonathan Auburn KC in *R (Haq) v Walsall MBC* [2019] EWHC 70 (Admin), [2019] ACD 45, QBD (Admin Ct), January 22 2019 which concerned Article 9 religious rights and discrimination.
- Zoe, with Jason Coppel KC and Amy Rogers KC, represented claimant criminal law solicitors in the judicial review challenge to the procurement tender process for duty provider The Lord Chancellor eventually abandoned the "two tier" policy and so the tender procedure to which it had given rise (*R (Fair Crime Contract Alliance) v Lord Chancellor; Kaim Todner and ors v Ministry of Justice*).
- Led by Jason Coppel KC in *MK Law Solicitors Ltd v Lord Chancellor* [2016] All ER (D) 161 (May).
 This case concerned a decision made by the Legal Aid Agency in the fall out from its abandonment of the "two tier" policy. Zoe was also led by Peter Oldham KC in a similar commercial judicial review challenge.

Education

Zoe is ranked in both Chambers and Partners and Legal 500 in Education Law.

"Zoe is incredibly hardworking and proactive. Her ability to strike the right tone in client communications is second-to-none. You know you will be properly looked after if Zoe is working for you." (Legal 500 2024, Education)

"She has built up a fantastic reputation as a go-to barrister for the more complex ...education judicial reviews." (Legal 500 2024)

Zoe represents and advises both claimants and defendants (local authorities, academies, universities and independent schools) in the full range of education matters. Zoe has extensive experience in the High Court, County Court, SENDIST and Upper Tribunal as sole counsel and being led in the Court of Appeal. Her cases frequently involve complex issues of Convention rights and discrimination law.

Education cases include:

- *DM v Cornwall Council* [2023] P.T.S.R. 795 leading case on specificity for EOTAS provision in EHCPs (Sole Counsel)
- *The Proprietor of Ashdown House School v JKL* [2019] HS/1322/2019 (20 August 2019) leading case on the FTT's power to order independent schools to reinstate pupils (Sole Counsel)
- *R (Drexler) v Leicestershire City Council* [2020] EWCA 502: Article 14/A2P1 case involving complex school transport statutory obligations (Led by Peter Oldham KC)
- *R (on the application of D) v Hampshire CC* [2020] EWHC 2916 (Admin) judicial review challenge regarding school's obligations (Sole Counsel)
- R (on the application of London School of Science and Technology) v Pearson Education Ltd [2019]
 EWHC 3129 (Admin) judicial review challenge to withdrawal from a college of accreditation on the basis of malpractice (Sole Counsel)

Zoe is a contributor to the Education Law Handbook (LexisNexis, 2021)

Health, Social Care and Court of Protection

"She has built up a fantastic reputation as a go-to barrister for the more complex social care ... judicial reviews." (Legal 500, 2024, Local Government)

Zoe has particular expertise in the related areas of community care, court of protection and healthcare. Zoe regularly acts for and advises local authorities, and clinical commissioning groups in community care and court of protection cases.

Her experience includes cases on local authority obligations to children, for example in *R* (on the application of *TW*) v Essex CC [2024] EWHC 264 (Admin) and *R*. (on the application of *DF*) v Essex CC [2023] EWHC 3330 (Admin).

Zoe was led by Jonathan Auburn KC in *R (SH) v Norfolk County Council* [2020] EWHC 3436 (Admin); [2021] PTSR 969 and by Clive Sheldon KC in *R. (on the application of YVR) v Birmingham City Council* [2024] P.T.S.R. 866 both cases concerning Article 14 and A1P1 on local authority charging policies.

Zoe has experience in defending challenges to the alleged failure to properly assess care needs, and the amount of funds provided to meet needs (Zoe was led by Jonathan Auburn KC for Oxfordshire in *R. (on the application of Davey) v Oxfordshire CC* [2018] P.T.S.R. 281: leading case on decision making under the Care Act 2014 and *Davey, R (On the Application Of) v Oxfordshire County Council* [2017] EWHC 354 (Admin), (2017) 20 CCLR 303).

Her experience in the Court of Protection includes end of life and serious medical treatment cases such as in *Imperial College Healthcare NHS Trust v MB* [2019] EWCOP 30, [2019] 7 WLUK 320 and *Imperial College Healthcare NHS Trust v MB* [2019] EWCOP 29, [2019] 5 WLUK 673.

Data Protection and Information Law

Zoe has experience acting both for and against the Information Commissioner in relation to high value and high-profile Monetary Penalty Notices involving IT related data breach cases.

Her information law experience includes substantial work for the Information Commissioner and for public bodies on FOIA/EIR appeals in the First-tier and Upper Tribunals, frequently as sole counsel against silks and senior juniors.

Information law cases include:

- Keighley v Information Commissioner and the BBC [2023] UKUT 228 (AAC), BBC right to refuse requests;
- **Department of Health and Social Care v Information Commissioner** [2020] UKUT 299 (AAC) on section 35(1(a) FOIA exemption 'chilling effect' and 'safe space';
- **O'Hanlon v Information Commission Office** [2019] UKUT 34 (AAC) on application of the legal professional privilege exemption in the context of an allegation of bad faith.

Investigations and Inquiries

Zoe has experience of working in high profile and complex investigations and inquiries. This has included:

- The Covid Inquiry: acting for the Ministry of Defence.
- The Independent Review into Child Sexual Abuse in Football 1970-2005. Instructed by the Football
 Association in a four year independent investigation led by Clive Sheldon KC (as he was then) into
 child sexual abuse in football.
- Sole counsel to the review conducted by Sir Joseph Pilling into the Independent Press Standards Organisation (IPSO) the print industry regulator.

Recommendations

"Zoe is incredibly hardworking and proactive. Her ability to strike the right tone in client communications is second-to-none. You know you will be properly looked after if Zoe is working for you.' Legal 500 2024

"Hugely knowledgeable and skilled in local government matters. She has built up a fantastic reputation as a go-to barrister for the more complex social care and education judicial reviews." Legal 500 2024

- "Zoe is my go-to for advice on all student litigation cases. She is a joy to work with, nothing is too much trouble and she is knowledgeable." Chambers and Partners 2024 (Education)
- "Zoe is a friendly and approachable advocate who is able to turn around complex advice quickly." **Chambers and Partner 2024** (Administrative and Public Law)
- "Zoe has an excellent grasp across a range of areas in public law, and she is highly regarded by clients."
- Chambers and Partner 2024 (Administrative and Public Law)

"She has an excellent legal brain." – Chambers and Partners 2024 (Local Government)

"Zoe is my go-to for higher education matters. She is clear, concise, technically strong and an all-round pleasure to work with!" Chambers & Partners 2023

"Zoe is responsive, reliable and good to work with." Chambers & Partners 2023

"Zoe is an excellent drafter and good on her feet." Chambers & Partners 2023

"A very creative barrister who thinks outside the box" Chambers & Partners 2022

"She is pragmatic and fiercely intelligent" Chambers & Partners 2022

"Her written work is very good" Chambers & Partners 2022

"She is pragmatic and fiercely intelligent" Chambers & Partners 2021

"She always gets back to you quickly and keeps her promises" Chambers & Partners 2021

Recent Cases

R (Motherhood Plan) v HM Treasury

[2021] EWHC 309 (Admin), QBD (Admin Ct), February 17 2021, [2021] ACD 47

Scheme to provide for payments for the self-employed who had lost income because of the coronavirus pandemic did not indirectly discriminate against self-employed women who had taken maternity or pregnancy leave.

R (D) v Hampshire County Council

[2021] ELR 78, [2020] EWHC 2916 (Admin), QBD (Admin Ct), October 30 2020 Local authority deciding that eight-year-old's needs could be met in mainstream school – Whether authority's decision was Wednesbury unreasonable.

Imperial College Healthcare NHS Trust v MB

[2019] EWCOP 30, [2019] 7 WLUK 320 and [2019] EWCOP 29, [2019] 5 WLUK 673 Cases involving best interests end of life decision making and medical treatment for a severely disabled young man.

R. (on the application of Drexler) v Leicestershire CC

[2019] EWHC 1934 (Admin)

Challenge to the Local Authority's home/school SEN transport policy

R (Haq) v Walsall MBC

[2019] EWHC 70 (Admin), [2019] ACD 45, QBD (Admin Ct), January 22 2019

Case concerning Art 9 religious rights and discrimination in the context of burial in a local authority cemetery.

Al-Hasani v Nettler, The Chancellor, Masters and Scholars of the University of Oxford

[2019] EWHC 640 (Ch) [2019] 3 WLUK 445

Copyright infringement claim concerning concealment and the application of the Limitation Act 1980 s.32.

O'Hanlon v Information Commission Office

[2019] UKUT 34 (AAC)

Upper Tribunal case on the application of legal professional privilege in the context of an allegation of bad faith.

R. (on the application of Davey) v Oxfordshire CC

[2018] P.T.S.R. 281

Leading case on decision making under the Care Act 2014.

Davey, R (On the Application Of) v Oxfordshire County Council

[2017] EWHC 354 (Admin), (2017) 20 CCLR 303

Concerning decision making under the Care Act 2014

MK Law Solicitors Ltd v Lord Chancellor

[2016] All ER (D) 161 (May)

This case concerned a decision made by the Legal Aid Agency following its abandonment of the criminal contracts procurement process.

R (HA) v Governing Body of Hampstead School

[2016] EWHC 278 (Admin), [2016] ELR 125

Concerning the procedure followed when the School decided to educate one of its pupils off- site.

R (Logan) v Havering LBC

[2015] EWHC 3193 (Admin)

Concerned the council tax support scheme and whether it was discriminatory on grounds of age or disability.

Education

Zoe was awarded a First Class Honours Degree from Warwick University in 2007 and was later graded Outstanding in the Bar Professional Training Course ("BPTC"). She achieved the highest grade in her year in opinion writing.

Other

Zoe has won a number of awards and prizes including:

- Phoenica Scholar (Bar European Group)
- The Holt Scholarship for the BPTC from Gray's Inn (Major Scholarship) Norman Tapp Memorial Prize for Mooting from Gray's Inn
- Finalist Gray's Inn Moot Competition 2013
- Finalist Times/Herbert Smith Advocacy Competition 2009

Prior to commencing pupillage Zoe worked for a range of NGOs. Her experience gives her a valuable insight into the political process and the demands that unions, public and third sector organisations face.

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