

Nigel Giffin KC

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Nigel Giffin practises mainly in the field of public law at 11KBW, although he still undertakes employment law and commercial law cases of certain kinds. His practice covers commercial and environmental judicial review, as well as many aspects of local government law including education, social services, housing, powers and finance and elections. He was formerly a member of the Attorney General's "A" panel of Counsel to the Crown, and undertook a number of important Human Rights Act cases in this capacity.

He is a CEDR accredited mediator, and has undertaken a number of mediations as both mediator and counsel.

Nigel studied law at Oxford, where he was awarded a first in his degree. He is the author of the chapter on Administrative Court proceedings in Foskett's Law and Practice of Compromise, and a member of the editorial board of Butterworths Local Government Reports.

Nigel has recently been acting as counsel to the Public Inquiry into the murder of Zahid Mubarek at Feltham Young Offenders' Institution.



On sensitive and complex legal issues, Nigel is very prompt, skilled and thorough. He supports the clients to make effective decisions.

CHAMBERS & PARTNERS

Expertise

Governance issues, including reorganisations, standards, elections, and information law

This has been another mainstay of Nigel Giffin's local government law practice. He has frequently advised on issues such as:

- Delegation of functions
- Local authority constitutions
- Distribution of functions between executive and non-executive matters in light of authority plans and strategies and budgets
- Use of joint committees
- Operation of overview and scrutiny committees
- Standards issues and member disqualification from participating in particular decisions
- Provision of indemnities to members and officers

Nigel has provided advice in a number of difficult situations arising out of joint working between local authorities, including: the proper apportionment of losses following the discovery of fraud in the operations of a joint committee; one authority's desire to withdraw from a major joint transport project following a change of political control; and potential financial liabilities of an authority considering withdrawal from a joint waste procurement project.

He has experience in the operation of the Freedom of Information Act 2000 and the Data Protection Act 1998 (appearing for example in the House of Commons expenses case, *Corporate Officer of the House of Commons v Information Commissioner* [2008] EWHC 1084 (Admin)), and has frequently advised local authorities on these issues. He has also advised on the application of the Regulation of Investigatory Powers Act 2000 in the context of local authority functions.

He has also undertaken a number of cases arising out of local authority elections, acting both for returning officers and for candidates.



Nigel is a very bright and very experienced advocate.

CHAMBERS & PARTNERS

R (Buck) v Doncaster MBC

[2012] EWHC 2293 (ADMIN)

Leading case on division of responsibilities and powers between full council and elected mayor.

Sanders v Kingston (no.2)

[2006] LGR 111

Acted for councillor in successful appeal against disqualification

Ullah v Pagel; Ahmed v Kennedy

[2003] 2 ALL ER 440

Procedure on election petition

R (Raphael) v Highbury Corner Magistrates Court

[2011] EWCA CIV 462

Acted for local licensing authority in successful defence of challenge to variation of licence conditions based upon alleged absence of proper delegation of powers

Hare v Marcar

[2006] EWHC 82 (ADMIN)

Acted for authority intervening in opposition to councillor's appeal against suspension decision