

Andrew Sharland KC

Silk: 2018 Call: 1996

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Andrew specializes in public law, public inquiries and investigations, public procurement and information law. Andrew has a broad public law practice with a particular emphasis on the fields of human rights, health and community care law, local government, planning and environmental law, professional discipline and regulatory law and education law. Andrew acts for individuals, charities, companies, NGOs, central and local government bodies and foreign governments in domestic and European courts. Until he took Silk in 2018, Andrew was a long-standing member of the Attorney General's A panel of junior counsel, representing government bodies on some of their most important and difficult cases.

Andrew is ranked by the legal directories as a leading Silk in administrative and public law, local government law, public inquiries and inquests, education, community care, and information law. In 2020, Andrew was nominated for 'Public Law Silk of the year' by The Legal 500.

Andrew is a co-author of the leading practitioners' textbook, *Judicial Review: Principles and Procedure* (OUP, 2013) (2nd edn forthcoming in 2025)



He has a very personable manner and is also very responsive. Underneath his mild exterior lies a tenacious advocate...

CHAMBERS & PARTNERS

Andrew is also a contributor to R McManus KC, Education and the Courts, P Coppel KC, Information Rights and Atkins Court Forms on Human Rights. Andrew sits part-time as a recorder in the Crown Court.

Expertise

Public and Local Government

Andrew is a public law specialist. He has over twenty five years' experience in litigating complex judicial review claims both on behalf of, and against, public bodies. He is ranked as a leader in public law by both Chambers & Partners and The Legal 500 and was recently nominated by The Legal 500 as 'Public Law Silk of the year'. Andrew's clients include central and local government, other public sector bodies, companies, NGOs and individuals. He regularly appears in the Administrative Court, the Court of Appeal and the Supreme Court. Andrew has particular expertise in judicial review claims in the fields of local government law, education law, health and community care law, human rights, Town and Village Greens, environmental and planning law, and regulatory law.

Andrew is a co-author of the leading practitioners' textbook on the subject, Judicial Review: Principles and Procedure (OUP, 2013).



Andrew is outstanding and great with clients. He has a very finely attuned nose for public law matters.

CHAMBERS & PARTNERS

Cotham School v Bristol City Council, Welham and Bristol City Council

[2024] EWHC 154 (CH) BUSINESS AND PROPERTY COURTS, FEBRUARY 2 2024, [2024] JPL 955

In a claim under the Commons Registration Act 1965 for an amendment of the commons register, a local authority could not appear on the court record as two separate defendants in its capacity as a commons registration authority and as landowner.

R (BG) v Suffolk CC

[2022] EWCA CIV 1047

Andrew acted for Suffolk County Council in an important appeal about local authorities' duties under section 18 and 19 Care Act 2014.

R (Worcestershire County Council) v Secretary of State for Local Government and Communities

(SUPREME COURT HEARING LISTED MID 2023)

Representing Worcestershire County Council in an appeal to the Supreme Court challenging the Secretary of State's decision that Worcestershire was responsible for an individual's aftercare pursuant to section 117 Mental Health Act 1983.

R (BG) v Suffolk CC

[2022] EWCA CIV 1047

Andrew acted for Suffolk County Council in an important appeal on local authorities' duties under section 18 and 19 Care Act 2014.

R (L) v Hampshire County Council

[2022] ELR 314

Andrew represented the successful defendant resisting a challenge to local authority guidance to schools on teaching of gender and trans issues.

R (L) v Hampshire County Council

[2022] ELR 314

Andrew represented the successful defendant resisting a challenge to local authority guidance to schools on the teaching of gender and trans issues. This claim raised various issues relating to the right to freedom of religion under Article 9 ECHR and the right to education under Article 2 of Protocol 1 ECHR.

R (Police Superintendents' Association) v HM Treasury

[2021] EWHC 3389 (ADMIN)

Which concerned the decision to close legacy public service pension schemes, including the police schemes, following consultation.

TW Logistics v Essex County Council

[2021] UKSC 4, [2021] AC 1050 SUPREME COURT, FEBRUARY 12 2021

Andrew successfully resisted an appeal against the Council's decision to register land as town or village green. This claim raised multiple legal issues relating to statutory incompatibility and the meaning of the phrase "as of right".

R (L) v Hampshire County Council

[2022] ELR 314

Andrew represented the successful defendant resisting a challenge to local authority guidance to schools on teaching of gender and trans issues. This claim raised various issues relating to the right to freedom of religion under Article 9 ECHR and the right to education under Article 2 of Protocol 1.

R (Elliott-Smith) v Secretary of State for Business, Energy and Industrial Strategy and others

[2021] EWHC 1632 (ADMIN), [2021] PTSR 1795, ADMIN CT, JUNE 14 2021

Andrew acted for the Department of Agriculture, Environment and Rural Affairs, Northern Ireland successfully resisting a challenge to UK Emissions Trading Scheme.

R (Police Superintendents' Association) v HM Treasury

[2021] EWHC 3389 (ADMIN)

Andrew acted for the Police Superintendents' Association in a successful challenge to HM Treasury's decision on police pension reform on public sector equality duty and consultation grounds.

R (Durand Education Trust) v Secretary of State for Education

[2020] EWCA CIV 1651, [2021] ELR 213 (COURT OF APPEAL)

Jonathan successfully represented the Department for Education in the latest round of litigation relating to Durand Academy, defending an A1P1 challenge to a direction to make an academy land transfer.

R (BMA) v Northamptonshire County Council and others

[2020] EWHC 1664 (ADMIN), QBD, JUNE 25 2020,
[2020] PTSR 1693; (2020) 23 CCLR 547

Andrew successfully resisted a challenge by the BMA to local safeguarding arrangements.

R (Bridges) v Chief Constable South Wales Police and others

[2020] EWCA CIV 1058, CA, AUGUST 21 2020, [2019] EWHC 2341 (ADMIN) (DIVISIONAL COURT)

Andrew acted for the Surveillance Camera Commissioner in the first case on the legality of the use of face recognition technology in the UK. The challenge was brought by a privacy campaigner against the South Wales Police's use of facial recognition technology to identify criminals at public events. This case raises novel and complex issues about the legality of such use under the GDPR and Article 8 ECHR.

R (EU Lotto Ltd) v Secretary of State for Digital, Culture, Media and Sport

[2018] EWHC 3111 (ADMIN), [2019] 1 CMLR 41 (DIVISIONAL COURT)

Jonathan successfully represented the Gambling Commission in this judicial review of a prohibition on offering bets on the outcome of EuroMillions draws.

R (Bridges) v Chief Constable South Wales Police and others

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R (Irving) v Mid-Sussex District Council

[2019] EWHC 3406 (ADMIN) (ADMINISTRATIVE COURT)

Andrew acted for the successful claimant in a complex legal challenge to a Council's decision to grant planning permission for the construction of a house on land that it owns.

R (Jewish Rights Watch) Leicester City Council

[2019] PTSR 488 (COURT OF APPEAL)

Andrew successfully resisted a high profile challenge to the legality of Council's resolutions boycotting goods from the Occupied Palestinian Territories. This case raised complex issues of public, discrimination and public procurement law.

R (Elmes) v Essex CC

[2018] PEN LR 21

Andrew acted for Essex CC in a human rights challenge (Article 1 of Protocol 1 read with Article 14 ECHR) to the local government pension scheme and its approach to the payment of pensions to non-married partners of deceased members.

R (Med Chambers Ltd) v Medco Registration Solutions Ltd

[2017] EWHC 3258 (ADMIN)

Andrew acted for a group of medical reporting organisations in a challenge to the decision of Med Co (the regulator for MROs for whiplash claims) to suspend the access of the Claimants to the MedCo Portal Scheme. The claim raised issues of procedural fairness both at common law and under Article 6 ECHR, fettering of discretion and a breach of Article 1 of Protocol 1 ECHR.

R (Syed) v Secretary of State for Justice

[2019] EWCA CIV 367

Andrew successfully represented the Secretary of State for Justice in a challenge brought by an Al-Qaeda terrorist to his location in the Managing Challenging Behaviour Unit.

R (Elmes) v Essex CC

[2018] PEN LR 21

Andrew acted for Essex CC in a human rights challenge (Article 1 of Protocol 1 read with Article 14 ECHR) to the local government pension scheme and its approach to the payment of pensions to non-married partners of deceased members.

R (Cotham School) v Bristol City Council and Others

[2018] EWHC 1022 (ADMIN)

Andrew acted for a group of local residents in a judicial review challenge to Bristol City Council's decision to register school playing fields as a Town and Village Green.

R (Med Chambers Ltd) v Medco Registration Solutions Ltd

[2017] EWHC 3258 (ADMIN)

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R (Med Chambers Ltd) v Medco Registration Solutions Ltd

[2017] EWHC 3258 (ADMIN)

Challenge to the decision of Med Co (the regulator for Medical Reporting Organisations for whiplash claims) to suspend the access of the Claimants to the MedCo Portal Scheme. This suspension meant that they were no longer able to commission Whiplash reports which had a catastrophic impact on their business. The claim raised issues of procedural fairness both at common law and under Article 6 ECHR, fettering of discretion and a breach of Article 1 of Protocol 1 ECHR.

R (Smith) v Department for Work and Pensions

[2016] EWHC 2284 (ADMIN)

Andrew acted for the Secretary of State for Work and Pensions successfully resisting a challenge to the legality of the Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013.

Achievements

Education

Andrew graduated with a first in law from Queen Mary and Westfield College, University of London. He obtained an LLM from the College of William and Mary, Virginia and the BCL from Worcester College, Oxford. He also has a post-graduate diploma in Public Procurement law from Nottingham University.

Other

Andrew was a visiting fellow of constitutional law at Brunel University. He recently acted as a guest lecturer on the Public Procurement LLM at Nottingham University. He was also a Pegasus Scholar at the European Court of Human Rights in Strasbourg.

R (Hussain) v Secretary of State for Justice

[2016] EWCA CIV 1111

Andrew acted for the Secretary of State for Justice successfully resisting a Data Protection Act 1998 claim brought by way of judicial review.

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Brilliant with clients and very bright.

LEGAL 500

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He has brilliant client-handling skills and is a pleasure to work with

CHAMBERS & PARTNERS

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He is very down-to-earth, bright and incisive. He gives comprehensive and pragmatic advice...

CHAMBERS & PARTNERS

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He is tactically astute and aggressive in court when you need him to be

CHAMBERS & PARTNERS

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An excellent legal brain

CHAMBERS & PARTNERS

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An excellent lawyer and a pleasant opponent

LEGAL 500

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He has a very personable manner and is also very responsive. Underneath his mild exterior lies a tenacious advocate...

CHAMBERS & PARTNERS

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Judges really like him as he is clear and precise

CHAMBERS & PARTNERS

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Bright, responsive and highly commercial

LEGAL 500