Ben Mitchell



Call: 2017 England & Wales Call: 2019 Ireland

E: Ben.Mitchell@11kbw.com
T: +44 (0)20 7632 8500

Ben specialises in public, commercial, EU, education, employment and information law.

He is ranked in the directories as a leading junior in Administrative and Public Law, Education Law, Data Protection and Employment Law. Peers and clients describe him as a “phenomenal counsel”, “serene under pressure” and “excellent with clients”.

Ben brings strong experience in strategic and high-profile litigation, particularly judicial reviews involving environmental, equality, commercial and education issues.

Ben is a member of both the Equality & Human Rights Commission and Attorney General’s Panels of Counsel, and with membership in the Law Library of Ireland, he has rights of audience in European Union Courts.

> ***Ben understands the client's needs and attitudes towards litigation. He is approachable and easy to work with.***
>
> **CHAMBERS & PARTNERS**

Expertise

Public Law & Human Rights

Ben is ranked by the directories in public law fields and regularly appears in judicial review and wider public law proceedings, both as sole counsel and as part of larger teams. He has particular experience in cases raising environmental, equality, commercial and education issues.

Relevant recent judgments include:

> ***Ben is a really brilliant opponent who operates way beyond his year of call. He is collaborative and very calm.***
>
> CHAMBERS & PARTNERS

R (NBT) v BePART Educational Trust

[2026] EWHC 1356 (ADMIN)

Acting for an academy trust in successfully resisting a challenge to the legality of a permanent exclusion decision.

HM Treasury v Global Feedback

FEEDBACK [2025] EWCA CIV 624; [2025] 4 ALL E.R. 187

Acting for the Claimant NGO, Foodrise, in a judicial review relating to the implementation of the UK-Australia trade deal on grounds relating to its environmental impact, led by Victoria Wakefield KC. Judgment on an appeal to the Supreme Court on whether the claim is an Aarhus Convention claim is pending.

R (CM) v Independent Review Panel of PQR Academy

[2025] EWHC 1414 (ADMIN)

Acting for an academy trust in successfully resisting a challenge to the legality of a permanent exclusion decision on grounds relating to human rights and modern slavery.

R (TW) v Essex CC

[2025] EWCA CIV 4; [2025] 2 F.L.R. 242

Acting for the successful Defendant local authority at first instance and on appeal concerning duties under the Children Act 1989, including the provision of accommodation, owed to children in need, led by Jonathan Moffett KC.

(Cilldara Group Holdings Ltd) v West Northamptonshire Council

[2023] EWHC 1675 (ADMIN)

Acting for the successful Defendant in a claim about local authority land disposal under s.123 of the Local Government Act 1972, led by James Goudie KC.

R (L) v Hampshire County Council

[2022] EWHC 49 (ADMIN); [2022] E.L.R. 314

Acting for the Defendant in a challenge to its guidance for schools on supporting LGBT+ students on human rights, religious freedom and political impartiality grounds, led by Andrew Sharland KC.

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

[2021] EWHC 1633 (ADMIN), [2021] PTSR 1795

Acting for the Claimant environmental campaigner in a judicial review of the UK's Carbon Emissions Trading Scheme on grounds relating to the Paris Agreement and the Climate Change Act 2008, led by David Wolfe KC.

R (Adiatu) v HM Treasury

[2020] EWHC 1554 (ADMIN), [2020] IRLR 658

Acting for the Defendant in a challenge to the furlough scheme (Coronavirus Job Retention Scheme) and statutory sick pay on the grounds of discrimination under EU law and the ECHR and compliance with the public sector equality duty, led by Julian Milford KC and Rupert Paines.

R (RW) v Royal Borough of Kensington and Chelsea

[2023] EWHC 1449 (ADMIN); [2023] ALL ER (D) 116 (JUN)

Acting as sole counsel for the Defendant in a claim relating to disability-related expenditure in the calculation of care charges under the Care Act 2014.

R (ZK) v Norfolk County Council

[2021] EWHC 1249 (ADMIN)

Acting for the Defendant in a claim about after-care services under the Mental Health Act 1983, led by Clive Sheldon KC.

R (C) v Secretary of State for Work and Pensions

[2020] EWHC 2817 (ADMIN)

Acting for the Defendant in a discrimination challenge relating to the rates at which Carer's Allowance and Universal Credit were paid during the Covid-19 pandemic, led by Julian Milford KC and Heather Emmerson.

R (Jackson) v Secretary of State for Work and Pensions

[2020] 1 W.L.R. 1441, [2020] EWHC 183 (ADMIN)

Acting for the Defendant in a claim of discrimination contrary to Art.14 of the ECHR on the ground of marital/civil partnership status in relation to social welfare entitlements, led by Julian Milford.

Achievements

Awards

Lord Mansfield Scholarship (Lincoln's Inn)

Lord Bowen Scholarship (Lincoln's Inn)

Hardwicke Entrance Exhibition (Lincoln's Inn)

Ussher PhD Fellowship (Trinity College Dublin)

Foley-Bejar Scholarship (Balliol College, Oxford)

Julian Prize for Second Place overall in LLB class (Trinity College Dublin)

Scholar of Trinity College Dublin

Entrance Exhibition (Trinity College Dublin)

Education

PhD in Law, Trinity College Dublin – focused on public interest education law

BCL, University of Oxford, Balliol College – Distinction

LLB, Trinity College Dublin – First Class