

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

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

Education

Listed in both Chambers & Partners and the Legal 500 as a leading silk in the field, Andrew acts for local authorities, schools, further and higher education institutions and individuals.

Andrew has a very broad education law practice including admissions, exclusions, special educational needs, school transport, academies, employment and contract. He regularly acts for high education institutions in judicial review, contract and discrimination claims. He has recently been involved in a number of disciplinary and regulatory education matters.



An education law guru. He is an exceptional advocate, a brilliant tactician, and gives pragmatic advice.

CHAMBERS & PARTNERS

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

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

[2020] EWCA CIV 1651, CA (CIV), DECEMBER 8 2020, [2021] ELR 213

Andrew acted for the Academy Trust in a challenge pursuant to Article 1 of Protocol 1 (the right to property) and Article 14 ECHR (the right not to be discriminated against) in relation to a decision to transfer land owned by the Academy to a local authority for no consideration.

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 (X School and Y Local Authority) v Ofsted

2018 (ADMINISTRATIVE COURT)

Successful application on behalf of school and local authority for an injunction restraining Ofsted from publishing a report critical of a Special School.

R (Plumpton College) v East Sussex CC

(2017) (ADMINISTRATIVE COURT)

Andrew acted for East Sussex Council in a challenge brought by a Further Education College to funding of special educational needs provision.

Darul Uloom School v Secretary of State for Education

(2017) (MAGISTRATE'S COURT)

Andrew acted for the Secretary of State for Education before the Chief Magistrate in the first application to close an independent school because of safeguarding issues.

R (Gibbons) v Hampshire CC

2020 (ADMINISTRATIVE COURT)

Andrew acted for Hampshire County Council in a challenge to its 16-18 school transport policy.

R (Patrick) v St Olaves' Grammar School

(2017) (ADMINISTRATIVE COURT)

Andrew acted for the London Borough of Bromley (an interested party) in a challenge to St Olave's policy of excluding pupils who did not perform sufficiently well in their first year of sixth form.

R (PC) v Hampshire County Council

(2017) (ADMINISTRATIVE COURT)

Andrew acted for Hampshire CC and a school successfully resisting a challenge brought by a parent who alleged that the school had failed to respond lawfully to an allegation of serious sexual assault by an eight year old boy.

R (Essex County Council) v Secretary of State for Education

[2016] EWHC 1724 (ADMIN)

Challenge to the Secretary of State for Education's decision to cut funding to Sure Start Capital Funding in Essex. Challenge on basis that the decision was contrary to a substantive legitimate expectation, irrational, in breach of the consultation requirements and contrary to s 149 Equality Act 2010.

R (Essex County Council) v Secretary of State for Education

[2016] EWHC 1724 (ADMIN)

Education – government grants – whether the Secretary of State had taken an irrational or unfair approach to criteria for allowing carry forward of a grant to a local authority for Early Years childcare – whether the Secretary of State had failed to comply with the public sector equality duty.

Zebaida v Secretary of State for Education

[2016] PTSR 1490

Andrew acted for the Secretary of State for Education in a claim brought by a famous pianist challenging a life-long ban from teaching.

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.



Brilliant with clients and very bright.

LEGAL 500



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

CHAMBERS & PARTNERS



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