

Joanne Clement KC

Silk: 2022 Call: 2002

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Joanne took silk in 2022, practicing in all areas of public law and human rights law. Her practice extends from commercial judicial review to claims raising significant constitutional and human rights issues. She is also an expert in local government, and health, community care and mental capacity law, as well as in the field of procurement law and education law. Prior to taking silk, Joanne was a highly rated junior, and was top ranked by the legal directories in six practice areas (Administrative & Public Law, Civil Liberties & Human Rights, Local Government, Education, Community Care and Court of Protection).

She was the Chambers and Partners Public Law and Human Rights Junior of the Year in 2018/19. Recent cases include *R (Article 39) v Secretary of State for Education* [2022] EWHC 589 (Admin) (challenge to statutory instrument banning use of unregulated accommodation for young children); *R (A) v Secretary of State for the Home Department* [2022] EWHC 360 (Admin) (Parliamentary privilege and public law challenges to decisions resulting in primary legislation) and *In Re T* [2021] UKSC 35; [2021] 3 WLR 643 (Article 5, secure accommodation and deprivation of liberty of children).



A great junior who is immensely confident and has an incredibly good brain

CHAMBERS AND PARTNERS

Prior to taking silk, Joanne was a member of the Attorney General's Panel of Counsel for 15 years, having most recently been a member of the "A" Panel of Counsel. Joanne was also a member of the Welsh Government's Panel of Junior Counsel, and has now been appointed to the Welsh Government's KC Panel. Joanne has led teams in the Supreme Court, and has regularly appeared as leading or sole counsel in the Court of Appeal, the Administrative Court, the Family Division/Court of Protection and various tribunals.

Joanne sits as a Recorder in the Crown Court (South Eastern Circuit)

Expertise

Education

Prior to taking silk, Joanne was ranked in the top tier of education law juniors by Chambers & Partners.

Joanne deals with the full range of issues that arise in the context of maintained schools and academies, including admissions, exclusions, special educational needs and disability discrimination, school transport, Academy conversions and the free schools programme, and Ofsted/intervention powers.

She is also experienced in claims arising in the independent school sector, including breach of contract and disability discrimination claims. She is highly experienced in the regulatory regime governing independent schools, and has advised schools on matters arising out of inspections and regulatory action taken by the Secretary of State. She has represented independent schools before the First-tier Tribunal in appeals against enforcement action taken by the Secretary of State.

She also works in the further and higher education sector, and regularly acts for students, and further and higher education institutions.

She is fully familiar with the Welsh devolution settlement and Welsh education legislation, and has carried out extensive training on the new Additional Learning Needs legislation in Wales.



Joanne Clement is really accessible and provides really clear and practical advice.

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R (Goodred) v Portsmouth City Council

[2021] EWHC 3057 (ADMIN)

Leading case on home education and duties on local authorities/parents

R (Yew Tree Primary School) v Secretary of State for Education

[2021] EWHC 2084 (ADMIN); [2021] ELR 809

Successful challenge to Secretary of State's refusal to revoke an Academy order on grounds that it was irrational. Leading counsel for the Governing Body

Rudolf Steiner School Kings Langley Association v Secretary of State for Education

N/A

Representing a Steiner School in an appeal against a decision by the Secretary of State to remove it from the independent school register

R (Governing Body of Plumpton College) v East Sussex County Council, West Sussex County Council and Brighton & Hove City Council

N/A

acting for the claimant FE college in a challenge to the funding provided by local authorities for special educational needs placements in the FE sector

AKT v Westminster CC [2018] UKUT 47 (AAC)

N/A

Acting for the local authority in appeal against FTT decision, holding that it would be incompatible with the efficient education of others to education children in a mainstream setting

R (Talent Training Company) v Secretary of State for Education and Education and Skills Funding Agency

N/A

acted for the claimant in challenge to Secretary of State's decision to terminate the contract of a major apprenticeship provider under the new apprenticeship levy regime

Achievements

Appointments

2012 – Welsh Government's A Panel of Junior Counsel

2015 – Attorney General's A Panel of Counsel

2018 – Recorder (Crime), South Eastern Circuit

2022 Appointed to silk (and appointed to Welsh Government's Silk Panel)

News, Articles & Publications

International Law in Domestic Courts: the Developing Framework [2008] 124 LQR 388 (with Philip Sales KC)

Contributor to Halsburys Laws of England: Judicial Review title

Information Rights: Law and Practice (Coppel ed.)

Supperstone, Goudie & Walker on Judicial Review (4 th and 5th ed)

Supperstone & Knapman – Administrative Court Practice

Education Law Handbook (contributor, 1st ed. 2021).

Education

Somerville College, Oxford – BA (Jurisprudence), 1 st class

Somerville College, Oxford – BCL, Distinction

Oxford University Eldon Law Scholar (2002)

Gray's Inn Reid Senior Scholarship

Gray's Inn Beddingfield Junior Scholarship

Other

Prior to starting practice, Joanne spent a year as a Judicial Assistant to the Law Lords (working for Lord Hope and Baroness Hale).

In 2006, Joanne was awarded a Pegasus Scholarship and worked in Wellington, New Zealand.



She is one of the best public law juniors at the bar.

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absolutely outstanding, she has an extremely impressive style of advocacy

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A great junior who is immensely confident and has an incredibly good brain

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She's a really excellent advocate who impresses with her speed and diligence

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I'm surprised she's not a silk already, she's brilliant.

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Although a junior, she is of silk quality and has great knowledge of the law – particularly Welsh law. She's pleasant, very able, and very respected by the courts.

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She is down-to-earth but eminently capable of dealing with complex esoteric issues. She exudes confidence and good humour.

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She's approachable, very knowledgeable and pragmatic in her advice.

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very clear in her oral advocacy.

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