Jonathan Moffett KC

Silk: 2017 Call: 1996

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



Jonathan is an acknowledged expert in public law, and has been described by the legal directories as "one of the best", combining "the perfect blend of razor-sharp intellect, strategic oversight and excellent client skills".

Jonathan's practice has a particular emphasis on the fields of regulatory law, local government law, human rights, education law, environmental law, and health and community care law. He has a huge amount of experience in dealing with claims for judicial review, and he is ranked by the legal directories as a leading silk in administrative and public law, local government law and education law.

Jonathan represents public sector bodies on some of their most important and difficult cases, and he is on the Welsh Government's panel of KCs, the Equality and Human Rights Commission's A panel of counsel, and the NPS panel of counsel instructed by Welsh public bodies. Jonathan sits as a Deputy High Court Judge in the Administrative Court and the King's Bench Division, and as a Recorder in the Crown Court. He is the editor of the sections on judicial review in the White Book, and co-author of the leading public law practitioners' text, *Judicial Review: Principles and Procedure* (OUP, 2nd edition, 2026). Jonathan is a former Chair of the Constitutional and Administrative Law Bar Association.

> ***Jonathan combines technical brilliance and attention to detail with an unsurpassed ability to communicate with the client and reassure them.***
>
> **CHAMBERS & PARTNERS**

Jonathan represents government bodies on some of their most important and difficult cases, and he is on the Welsh Government's panel of KCs, the Equality and Human Rights Commission's A panel of counsel and the NPS panel of counsel instructed by Welsh public bodies.

Jonathan sits as a Deputy High Court Judge and as a Recorder in the Crown Court. He is also Chair of the Constitutional and Administrative Law Bar Association, the editor of the sections on judicial review in The White Book, and co-author of a leading public law practitioners' text, Judicial Review: Principles and Procedure (OUP), a new edition of which is due to be published in 2024.

Expertise

Public

Jonathan is acknowledged as an expert in public law, and he has extensive experience in litigating claims for judicial review. He is ranked as specialist in administrative and public law by both Chambers & Partners and The Legal 500.

Jonathan acts for central and local government bodies, other public sector bodies, third sector organisations, companies and individuals, and he regularly appears in the Administrative Court, the Court of Appeal and the Supreme Court.

Jonathan has particular expertise in claims for judicial review in the fields of regulatory law, local government law, human rights, education law, environmental law, and health and community care law.

Jonathan's expertise in judicial review is underpinned by the fact that he is the editor of the sections on judicial review in the White Book and a co-author of a leading practitioners' textbook on the subject, *Judicial Review: Principles and Procedure* (OUP, 2nd edition, 2026).

Recent examples of Jonathan's public law cases include:

> ***He has first-rate, strategic judgement with an ability to keep an eye on the big picture of any case, and he is an absolutely top advocate.***
>
> CHAMBERS & PARTNERS

R (ATB) v Welsh Ministers

Jonathan successfully represented the Welsh Government on a challenge to the decision to introduce a prohibition on GPs prescribing puberty blockers to children.

R (TW) v Essex County Council

Jonathan successfully represented Essex County Council on a challenge to its decision that a young person who did not have stable accommodation was not a child in need for the purposes of the Children Act 1989.

R (Evans) v Aneurin Bevan University Local Health Board

Jonathan successfully represented the Welsh Air Ambulance on a challenge to a decision to relocate its airbases and change its operating hours.

R (Friends of the Earth) v Secretary of State for Energy Security and Net Zero

[2024] EWHC 995 (ADMIN) (HIGH COURT); [2024] ACD 80

Jonathan represented the Secretary of State on challenges brought by Friends of the Earth, ClientEarth and the Good Law Project to the government's Carbon Budget Delivery Plan, which sets out the United Kingdom's pathway to achieving net zero.

R (Officer W80) v Director General of the Independent Office for Police Conduct

[2023] UKSC 24, [2023] 1 WLR 2300 (SUPREME COURT)

Jonathan represented the College of Policing on this appeal concerning the test to be applied in police misconduct cases involving the use of force, which called into question the meaning and purpose of the College's Code of Ethics.

R (Isherwood) v Welsh Ministers

[2022] EWHC 3331, [2023] PTSR 901 (ADMIN) (HIGH COURT)

Jonathan successfully represented the Welsh Government on this challenge to the introduction of compulsory relationships and sexuality education in schools in Wales.

R (Good Law Project) v Essex County Council and Surrey County Council

(HIGH COURT AND COURT OF APPEAL, 2022)

Jonathan successfully represented Essex and Surrey County Councils on this challenge to various local authorities' compliance with the sufficiency duty, which requires them to take steps towards ensuring that they have sufficient accommodation within their areas to accommodate children in care.

R (Big Brother Watch) v Welsh Ministers

(HIGH COURT, 2022)

Jonathan represented the Welsh Ministers in this challenge to the "Covid Pass" scheme that was adopted in Wales during the pandemic, which restricted access to certain entertainment venues to individuals who could demonstrate that they had been vaccinated or had had a negative Covid test.

R (A) v Secretary of State for the Home Department

[2021] UKSC 37, [2021] 1 WLR 3931 (SUPREME COURT)

Jonathan successfully represented the Home Office at all levels on this challenge to "Sarah's Law", the scheme for the disclosure of information about convicted child sex offenders. He persuaded the Supreme Court to overturn 20 years of Court of Appeal and High Court case law on the test to be applied when challenging the lawfulness of a policy.

R (Thomson) v Secretary of State for Health and Social Care and NHS Commissioning Board

(HIGH COURT AND COURT OF APPEAL, 2021)

Jonathan successfully represented NHS England in defending this claim alleging that it was under a duty to draw up a rationing scheme governing the allocation of intensive care beds should demand outstrip supply during the coronavirus pandemic.

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 (Chief Constable of Lincolnshire) v College of Policing

(2019, HIGH COURT)

Jonathan successfully represented the College of Policing in this challenge to the introduction of a new nationwide qualifications framework for police officers.

R (Hertfordshire County Council) v Secretary of State for Housing, Communities and Local Government

[2021] EWHC 1093 (ADMIN), [2021] EWHC 1145 (ADMIN), [2021] 1 WLR 3714, [2021] 1 WLR 3742

Jonathan represented the Department for Housing, Communities and Local Government in this test case in relation local authorities' powers to hold remote meetings after the lapse of specific powers to do so during the coronavirus pandemic.

R (Omooba) v Welsh Ministers

(HIGH COURT, 2021)

Jonathan successfully represented the Welsh Government in resisting this challenge to the compulsory closure of places of worship during the coronavirus pandemic.

R (Aspers Stratford City Ltd) v Gambling Commission

(HIGH COURT, 2020)

Jonathan represented the Gambling Commission in this judicial review of the procedure that it had adopted in a statutory review of a casino's gambling licence.

R (Canary Wharf Group) v Mayor of London

(2019, HIGH COURT)

Jonathan represented the Mayor of London on this challenge to the London-wide Mayoral community infrastructure levy, which put in jeopardy the raising of up to £6 billion towards the costs of Crossrail.

R (Hollow) v Surrey County Council

[2019] EWHC 618 (ADMIN), [2019] PTSR 1871 (DIVISIONAL COURT)

Jonathan successfully represented Surrey County Council on this major challenge to its decision to reduce its schools and special educational needs budget by £21 million. This case is now the leading case on challenges to local authority budget-setting decisions.

R (AR) v Greater Manchester Police and Secretary of State for the Home Department

[2018] UKSC 47, [2018] 1 WLR 4079 (SUPREME COURT)

Jonathan successfully led for the Home Secretary in the Supreme Court in this human rights challenge to the disclosure of acquittals on criminal record certificates.

R (TenetConnect Ltd) v Financial Ombudsman Service

[2018] EWHC 459 (ADMIN), [2018] BCLC 726 (HIGH COURT)

Jonathan successfully represented the Financial Ombudsman on this judicial review of a decision that regulated networks of financial advisors could be responsible for the frauds of their appointed representatives.

R (Hysaj) v Secretary of State for the Home Department

[2017] UKSC 82, [2018] 1 WLR 221 (SUPREME COURT)

Jonathan represented the Secretary of State in this judicial review challenging the application of the public law fraud principle in cases where British citizenship had purportedly been granted to persons who had lied about their identity

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 the ban on gambling companies offering bets on the outcome of EuroMillions draws.

R (British Homeopathic Association) v NHS Commissioning Board

[2018] EWHC 1359 (ADMIN), [2018] PTSR 2031 (HIGH COURT)

Jonathan successfully defended this judicial review of NHS England's decision to issue guidance to CCGs recommending that homeopathic treatments should not routinely be prescribed on the NHS.

R (ClientEarth) v Secretary of State for the Environment and the Welsh Ministers

[2018] EWHC 315 (ADMIN), [2018] ENV LR 21 (HIGH COURT)

Jonathan represented the Welsh Ministers on this EU law challenge to the United Kingdom's air quality plan for addressing nitrogen dioxide air pollution.

Local Government

Jonathan is ranked as an expert in local government law by both Chambers & Partners and the Legal 500. He has experience of dealing with matters across the full spectrum of local government law, including budget challenges, local government reorganisations, combined authorities, central government intervention, governance, service reorganisations, the public sector equality duty, inter-authority disputes, standards, local government finance and disposal of land.

Jonathan has particular expertise in relation to combined authorities, having advised a number of such authorities, and he was involved in the first ever judicial review arising in the context of combined authorities. He has also recently been advising a number of local authorities on proposed local government reorganisations.

Recent examples of Jonathan's local government cases include:

> ***Jonathan is exceptionally bright but personable too. He puts clients at ease and adapts his strategy and advice brilliantly to his audience.***
>
> **CHAMBERS & PARTNERS**

R (TW) v Essex County Council

Jonathan successfully represented Essex County Council on a challenge to its decision that a young person who did not have stable accommodation was not a child in need for the purposes of the Children Act 1989.

R (Good Law Project) v Essex County Council and Surrey County Council

(HIGH COURT AND COURT OF APPEAL, 2022)

Jonathan successfully represented Essex and Surrey County Councils on this challenge to various local authorities' compliance with the sufficiency duty, which requires them to take steps towards securing that they have sufficient accommodation within their areas to accommodate children in care.

R (Hertfordshire County Council) v Secretary of State for Housing, Communities and Local Government

[2021] EWHC 1093 (ADMIN), [2021] EWHC 1145 (ADMIN), [2021] 1 WLR 3714, [2021] 1 WLR 3742, (DIVISIONAL COURT)

Jonathan represented the Department for Housing, Communities and Local Government in this test case in relation local authorities' powers to hold remote meetings after the lapse of specific powers to do so during the coronavirus pandemic.

R (Canary Wharf Group) v Mayor of London

(2019, HIGH COURT)

Jonathan represented the Mayor of London on this major challenge to the London-wide Mayoral community infrastructure levy, which put in jeopardy the raising of up to £6 billion towards the costs of Crossrail.

R (Hollow) v Surrey County Council

[2019] EWHC 618 (ADMIN), [2019] PTSR 1871 (DIVISIONAL COURT)

Jonathan successfully represented Surrey County Council on this major challenge to its decision to reduce its schools and special educational needs budget by £21 million. This case is now the leading case on challenges to local authority budget-setting decisions.

R (Woolcock) v Secretary of State for Housing, Communities and Local Government

[2018] EWHC 17 (ADMIN), [2018] 4 WLR 49 (DIVISIONAL COURT)

Jonathan successfully represented the Welsh Ministers on this challenge to the fairness of the system of committing council tax defaulters to prison.

R (London Borough of Southwark) v London Fire and Emergency Planning Authority

[2016] EWHC 1701 (ADMIN) (DIVISIONAL COURT)

Jonathan successfully represented the London Fire Authority in a judicial review of its decision to retain prosecutorial functions under the Regulatory Reform Order in relation to the prosecution of a local authority.

R (Islington London Borough Council) v London Fire and Emergency Planning Authority

[2013] EWHC 4142 (ADMIN) (HIGH COURT)

Jonathan successfully led for the London Fire Authority on a major challenge brought by a coalition of seven London councils to the Authority's decision to close fire stations in the light of budget cuts.

Nottingham City Council v Parr

[2018] UKSC 51, [2018] 1 WLR 4985 (SUPREME COURT)

Jonathan led in the Supreme Court for the Ministry of Housing, Communities and Local Government in this challenge to the First-tier Tribunal's decision to impose conditions on HMO licences which restricted the classes of persons who could live in the HMOs.

R (Derbyshire County Council) v Barnsley, Doncaster, Rotherham and Sheffield Combined Authority

[2016] EWHC 3355 (ADMIN) (HIGH COURT)

Jonathan acted for the Secretary of State, who intervened in the first ever judicial review relating to combined authorities, in this challenge to a consultation on changing the boundaries of a combined authority to include new local authority areas.

R (Tower Hamlets London Borough Council) v Secretary of State for Communities and Local Government

[2014] EWHC 4364 (ADMIN) (HIGH COURT)

Jonathan successfully represented the Secretary of State on a challenge to the decision to conduct a best value inspection of Lutfur Rahman's controversial mayoral administration in Tower Hamlets.

Education

Jonathan has unrivalled expertise in education law and he is ranked in the field by both Chambers & Partners and the Legal 500.

In the higher education context, Jonathan has experience of dealing with the full range of issues that arise, including judicial reviews, Tier 4 sponsor issues, inter-institution disputes, breach of contract and negligence claims, discrimination and human rights matters, complaints to the OIA, and student discipline appeals. Jonathan has advised the Office for Students, and has acted for universities in regulatory matters against the Office for Students and the Department for Education.

In relation to schools and academies, Jonathan has expertise in dealing with matters relating to admissions, discipline and exclusions, special educational needs and disability discrimination, school transport, and interventions. Jonathan has particular experience in dealing with issues arising out of academy conversions and school reorganisations and in advising on the structural and funding issues (including land transfers) that arise in that context.

Jonathan also deals with matters arising in the independent sector, including contractual and negligence claims and regulatory issues. Jonathan has particular expertise in human rights issues that arise in the education sector and, as well as having acted in the leading domestic case on the right to education under Article 2 of the First Protocol, he has represented the United Kingdom Government in an Article 2 case before the European Court of Human Rights.

Jonathan is a contributing author to The Education Law Handbook (LexisNexis, 2021).

Recent examples of Jonathan's education law cases include:

> ***Jonathan has excellent client-relationship skills, as well as being the best of the best in terms of expertise.***
>
> **CHAMBERS & PARTNERS**

R (Isherwood) v Welsh Ministers

[2022] EWHC 3331 (ADMIN), [2023] PTSR 901 (HIGH COURT)

Jonathan successfully represented the Welsh Government on this challenge to the introduction of compulsory relationships and sexuality education in schools in Wales. The challenge was brought on human rights and common law rights grounds, both of which the court rejected.

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.

Derbyshire County Council v EM

[2019] UKUT 240 (AAC), [2020] ELR 27 (UPPER TRIBUNAL)

Jonathan represented Derbyshire on its appeal to the Upper Tribunal, which decided that there is no requirement to name a school in an EHC Plan in circumstances where the plan specifies that the child will be provided with education otherwise than at school.

R (Hollow) v Surrey County Council

[2019] EWHC 618 (ADMIN), [2019] PTSR 1871 (DIVISIONAL COURT)

Jonathan successfully represented Surrey County Council on this major challenge to its decision to reduce its schools and special educational needs budget by £21 million.

CP v United Kingdom

[2016] 63 EHRR SE14 (EUROPEAN COURT OF HUMAN RIGHTS)

Jonathan successfully represented the United Kingdom on this Strasbourg application claiming that a pupil's exclusion from school gave rise to a breach of his right to education.

Johnston v Secretary of State for Education

[2016] EWHC 1871 (ADMIN), [2017] ELR 163 (HIGH COURT)

Jonathan successfully represented the Secretary of State in this challenge to the imposition of a prohibition order on a teacher who had been accused of ill-treating a child with special educational needs.

R (Chief Constable of Lincolnshire) v College of Policing

(2019, HIGH COURT)

Jonathan successfully represented the College of Policing in this challenge to the introduction of a new nationwide qualifications framework for police officers.

McTier v Secretary of State for Education

[2017] EWHC 212 (ADMIN), [2017] PTSR 815 (HIGH COURT)

Jonathan represented the Secretary of State in this challenge to the retrospective effect of the regime governing prohibition orders against teachers.

R (Hockerill Anglo-European College Academy Trust) v Schools Adjudicator

[2016] EWHC 1642 (ADMIN) (HIGH COURT)

Jonathan successfully represented the Secretary of State in this challenge to a boarding academy's admission policy which provided for children to be admitted as "day boarders".

R (London Oratory School) v Schools Adjudicator

[2015] EWHC 1012 (ADMIN), [2015] ELR 335 (HIGH COURT)

This was a major judicial review of the Schools Adjudicator's decision that the London Oratory School was operating an admissions policy that breached the School Admissions Code in a number of respects. Jonathan acted for the Secretary of State, who intervened in the case.

R (DD) v Independent Appeal Panel of the London Borough of Islington

[2013] EWHC 2262 (ADMIN), [2013] ELR 483 (HIGH COURT)

Jonathan successful represented the Secretary of State, who intervened in this challenge to an IAP decision which raised difficult questions as to the application of the School Admissions Code in infant class size cases where a school operates split reception classes.

Human Rights

Jonathan has unrivalled expertise in dealing with cases raising human rights issues across a wide range of areas, including the retention and disclosure of information, education, prisons, immigration and asylum, and terrorism and national security. Jonathan also has experience of dealing with such issues in the health sector, and has advised on matters such as the compatibility of policies for the funding of treatment with Convention rights and equalities legislation. Jonathan has been instructed by the UK Government in several cases before the European Court of Human Rights.

Recent examples of Jonathan's human rights cases include:

R (Isherwood) v Welsh Ministers

[2022] EWHC 3331 (ADMIN), [2023] PTSR 901 (HIGH COURT)

Jonathan successfully represented the Welsh Government on this challenge to the introduction of compulsory relationships and sexuality education in schools in Wales. The challenge alleged breaches of the right to education under Article 2 of the First Protocol, and Articles 8 and 9.

R (A) v Secretary of State for the Home Department

[2021] UKSC 37, [2021] 1 WLR 3931 (SUPREME COURT)

Jonathan successfully represented the Home Office at all levels on this challenge to "Sarah's Law", the scheme for the disclosure of information about convicted child sex offenders, which alleged that the scheme was incompatible with Article 8 of the Convention.

R (Thomson) v Secretary of State for Health and Social Care and NHS Commissioning Board

(HIGH COURT AND COURT OF APPEAL, 2021)

Jonathan successfully represented NHS England in defending this claim which alleged that it was a breach of Article 8 not to issue a rationing scheme governing the allocation of intensive care beds should demand outstrip supply during the coronavirus pandemic.

R (Omooba) v Welsh Ministers

(HIGH COURT, 2021)

Jonathan successfully represented the Welsh Government in resisting this Article 9 challenge to the compulsory closure of places of worship during the coronavirus pandemic.

Gaughran v United Kingdom

(2020, EUROPEAN COURT OF HUMAN RIGHTS)

Jonathan represented the government in both the Supreme Court and in Strasbourg on this Article 8 challenge to the indefinite retention by police of the DNA profiles of persons who have been convicted of an offence.

McDonald v McDonald

[2016] UKSC 28, [2017] AC 273 (SUPREME COURT)

Jonathan successfully acted for the Secretary of State, who intervened in this case raising the important issue of whether Article 8 of the Convention has horizontal effect in possession proceedings between two private parties.

DS and MC v United Kingdom

(EUROPEAN COURT OF HUMAN RIGHTS, 2021)

Jonathan successfully represented the United Kingdom in these Strasbourg applications which alleged that the UK's criminal records certificates scheme was incompatible with Article 8.

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 (AR) v Greater Manchester Police and Secretary of State for the Home Department

[2018] UKSC 47, [2018] 1 WLR 4079 (SUPREME COURT)

Jonathan successfully led for the Home Secretary in the Supreme Court in this judicial review of the disclosure of information about acquittals on criminal records certificates, based on an allegation that it was incompatible with the presumption of innocence under Article 6 and the right to respect for private life under Article 8 of the Convention.

CP v United Kingdom

[2016] 63 EHRR SE14 (EUROPEAN COURT OF HUMAN RIGHTS)

Jonathan successfully represented the United Kingdom on this Strasbourg application claiming that a pupil's exclusion from school gave rise to a breach of his right to education.

Environmental

Jonathan has extensive experience of litigating environmental cases in the courts. Most recently, Jonathan led the government's defence to three major challenges to its net zero policies. Jonathan has also advised on a wide-range of planning-related matters, including the Secretary of States' intervention in local authorities plan-making processes, the National Planning Statement for geological disposal facilities for nuclear waste, development consents for on and off-shore windfarm projects, the grant and revocation of planning permissions for open-cast coal mining, and the decision not to proceed with the plan to build a new stretch of the M4 across the Gwent Levels SSSIs.

Jonathan has particular experience of issues arising in the context of air quality: he appeared at the high-profile inquest into the tragic death of Ella Adoo-Kissi-Debra, he appeared in the ClientEarth litigation on the United Kingdom's air quality plan for tackling nitrogen dioxide pollution, he advised the Welsh Government on the formulation of their air quality plan, and he has advised a London Borough on the air quality implications of a controversial traffic scheme.

R (Friends of the Earth) v Secretary of State for Energy Security and Net Zero

[2024] EWHC 995 (ADMIN) (HIGH COURT); [2024] ACD 80

Jonathan represented the Secretary of State on challenges brought by Friends of the Earth, ClientEarth and the Good Law Project to the government's Carbon Budget Delivery Plan, which sets out the United Kingdom's pathway to achieving net zero.

Inquest into the death of Ella Adoo-Kissi-Debra

2020

Jonathan was instructed by the London Borough of Lewisham to represent it at this high-profile inquest into the tragic death of a little girl who died from a severe asthma attack. The inquest examined the extent to which poor air quality contributed to her death.

R (Chiltern Farm Chemicals Ltd) v Secretary of State for the Environment, Food and Rural Affairs

(2019, HIGH COURT)

Jonathan represented DEFRA on this challenge to a decision not to license pesticides under the EU Plant Protection Products Regulation.

R (ClientEarth) v Secretary of State for the Environment and the Welsh Ministers

[2018] EWHC 315 (ADMIN), [2018] ENV LR 21 (HIGH COURT)

Jonathan represented the Welsh Ministers on this EU law challenge to the air quality plans for addressing nitrogen dioxide air pollution.

Shortt v Secretary of State for Communities and Local Government

[2015] EWCA CIV 1192, [2016] 1 P&CR 15 (COURT OF APPEAL)

Jonathan was brought in to argue this case in the Court of Appeal on the correct interpretation of the standard-form agricultural occupancy condition.

R (An Taisce) v Secretary of State for Energy and Climate Change

[2014] EWCA CIV 1111, [2015] PTSR 189 (COURT OF APPEAL)

Jonathan acted for the Secretary of State in this judicial review of the grant of development consent for Hinkley Point C nuclear power station, based on allegation that the requirements of the Habitats Directive had not been complied with.

R (Friends of the Earth) v Welsh Ministers

[2015] EWHC 776 (ADMIN), [2016] ENV LR 1 (HIGH COURT)

Jonathan successfully resisted a major challenge, based on alleged failure to comply with the Strategic Environmental Assessment Directive, to the Welsh Government's decision to proceed with a £1 billion project to build a new stretch of the M4 motorway to the south of Newport.

Health & Community Care

Jonathan has considerable experience of dealing with the full range of health and community care matters, including challenges to service reorganisations and funding decisions, human rights challenges, inter-authority disputes, and challenges to the provision of services for adults and children. He has advised on the compatibility of funding policies with Convention rights and equalities legislation, and he was instructed by NHS England to defend a challenge to its approach to the rationing of intensive care treatment during the coronavirus pandemic.

Recent cases include:

R (ATB) v Welsh Ministers

Jonathan successfully represented the Welsh Government on a challenge to the decision to introduce a prohibition on GPs prescribing puberty blockers to children.

R (TW) v Essex County Council

Jonathan successfully represented Essex County Council on a challenge to its decision that a young person who did not have stable accommodation was not a child in need for the purposes of the Children Act 1989.

R (British Homeopathic Association) v NHS Commissioning Board

[2018] EWHC 1359 (ADMIN), [2018] PTSR 2031 (HIGH COURT)

Jonathan successfully defended this judicial review of NHS England's decision to issue guidance to CCGs to the effect that homeopathic treatments should not routinely be prescribed on the NHS.

R (Evans) v Aneurin Bevan University Local Health Board

Jonathan successfully represented the Welsh Air Ambulance on a challenge to a decision to relocate its airbases and change its operating hours.

R (Thomson) v Secretary of State for Health and Social Care and NHS Commissioning Board

(HIGH COURT AND COURT OF APPEAL, 2021)

Jonathan successfully represented NHS England in defending this claim which alleged that it was under a duty to issue a rationing policy governing the allocation of intensive care beds should demand outstrip supply during the coronavirus pandemic.

Achievements

Publications

Editor, The White Book, CPR Part 54

Co-author, *Judicial Review: Principles and Procedure* (OUP, 2nd edition, 2026)

Contributing author, *Education Law Handbook* (LexisNexis, 2021)

Appointments

Deputy High Court Judge (King's Bench Division), 2023

Recorder (Crown Court), 2023

Education

Girton College, Cambridge, BA (Hons), Class I

Girton College Cambridge, LLM, Class I

Major Scholarship, Inner Temple

He has colossal public law experience and always comes up with a winning point.

CHAMBERS & PARTNERS

Jonathan is an exceptional barrister: intellectually sharp, strategically astute and a formidable advocate. His drafting is meticulous; his advocacy authoritative and persuasive; and he has an enviable ability to master complex legal and factual issues at speed. He is highly responsive, collaborative and commercial in approach, and clients and instructing solicitors alike place immense confidence in his judgement.

CHAMBERS & PARTNERS

He is a fantastic lawyer.

CHAMBERS & PARTNERS

Jonathan has excellent client-relationship skills, as well as being the best of the best in terms of expertise.

CHAMBERS & PARTNERS

Jonathan is easy to work with, and his advocacy skills are excellent. He is calm, very methodical and clear.

CHAMBERS & PARTNERS

Jonathan is exceptionally bright but personable too. He puts clients at ease and adapts his strategy and advice brilliantly to his audience.

CHAMBERS & PARTNERS

Jonathan is an extremely approachable and personable barrister. Enthusiastic and energetic. Never fazed. Always a pleasure to work with. His advocacy is clear, concise, clever, orderly and ultimately successful.

LEGAL 500, 2026

One of the best.

CHAMBERS & PARTNERS 2023

Jonathan is an outstanding barrister.

CHAMBERS & PARTNERS 2023