# Raphael Hogarth



Call: 2020

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Raphael specialises in public and human rights law, technology disputes, data protection, employment, commercial, international and sports law. His clients have ranged from individuals to private and public companies, NGOs, regulators, government departments and other public authorities.

Raphael is ranked by the directories in public law, data protection, public procurement, education and employment law. The directories describe him as *"a serious talent"* and *"an exceptional barrister"* who *"adds immense value"* and *"finds arguments that others miss"*, *"fiercely intelligent"*, *"very impressive"*, *"very commercial"*, *"an absolute pleasure to work with"*, *"incredibly strategic"* and *"meticulous"*, with an *"incredible work ethic"* and *"excellent drafting skills"*.

He is frequently instructed in complex and high-profile disputes. Recent examples include the ***Wikipedia*** challenge to online safety regulations, the ***Thompson v Met Police*** case on the use of live facial recognition by the police, the ***Apple*** case about investigatory powers, the ***GB News*** challenge to Ofcom's decision that a Q&A programme with Rishi Sunak breached impartiality rules, the ***Deliveroo*** appeal before the Supreme Court on human rights and collective bargaining in the gig economy, the ***Abbasi*** appeal before the Supreme Court on restricted reporting orders and freedom of expression, and the ***Clearview*** appeal on the territorial scope of data protection law.

Before coming to the Bar, Raphael was a leader writer and columnist at *The Times*, and a researcher at the Institute for Government. He remains an associate of the Institute and is a regular media commentator on constitutional issues. He was also a visiting lecturer in public law on the Graduate Diploma in Law at City University.

> ***Raphael is a brilliant lawyer, who is completely delightful to work with. He is phenomenal.***
>
> CHAMBERS & PARTNERS, 2026

# Expertise

## Public, Regulatory and Human Rights

Raphael is ranked as a leading junior in this area by Chambers and Partners, and as a "*rising star*" by the Legal 500. He has acted for individuals, companies, NGOs, central government departments, regulators and other authorities in public law disputes, including judicial reviews and statutory appeals.

He is particularly interested in the use of public law to advance and defend commercial interests, and has acted in several disputes in which commercial entities have challenged regulatory decisions, procurement processes or subsidy-related decisions.

He also has extensive experience of working on strategic litigation, including obtaining costs-capping orders in public interest proceedings and advising on the interplay between judicial review and wider campaigning strategy.

> ***Raphael is a serious talent in the public law and human rights space. He is one to watch. He's great to work with – excellent communication, fast, reliable, proactive. A top choice.***
>
> LEGAL 500, 2026

### Apple Inc v Secretary of State for the Home Department

[2025] UKIPTRIB 1

Acted for Apple, in a claim relating to the Secretary of State's powers to issue technical capability notices under the Investigatory Powers Act 2016, successfully resisting an application for all details of the case to be private.

### R (Wikimedia Foundation and BLN) v Secretary of State for Science, Innovation and Technology

[2025] EWHC 2086

Acted for the provider of the Wikipedia service, and an anonymous Wikipedia editor, in the first case brought under the Online Safety Act 2023.

### R (Thompson and Carlo) v Commissioner of Police of the Metropolis

[2025] EWHC 2355

Acting for the Met Police in a challenge to the use of live facial recognition in London.

### Abbasi v Newcastle upon Tyne Hospitals NHS Foundation Trust

[2025] UKSC 15

Acted for an NGO intervening in a Supreme Court appeal about injunctions preventing the identification of clinicians in end-of-life cases.

### R (Shashikanth) v NHS Litigation Authority and NHS England

[2025] 1 WLR 2333

Acted for NHS England in this appeal concerning the amenability to judicial review of a contractual adjudicator.

### R (GB News) v Ofcom

[2024] EWHC 2658 (ADMIN)

Acted for Ofcom, successfully resisting an application for interim relief in a challenge by GB News to a decision that a Q&A Programme with Rishi Sunak MP breached impartiality rules.

### R (West Coast Railway Company Ltd) v Office of Rail and Road

[2024] 4 WLR 12

Acted for the UK's largest heritage railway company, operator of the so-called 'Hogwarts Express' Jacobite service, in a judicial review of a certification decision by the rail regulator.

### Arkorful v Social Work England

[2024] EWHC 73 (ADMIN), [2025] EWHC 1456 (ADMIN)

Acted for the successful regulator in two joined High Court appeals of adjudicators' decisions in fitness to practise proceedings.

### R (Gardner & Harris) v Secretary of State for Health and Social Care

[2022] EWHC 967 (ADMIN)

Acted for the successful Claimants in a *Lawyer* 'Top 20' challenge to the government's policies on care homes during the first wave of the pandemic.

### R (DF) v Essex County Council

[2025] PTSR 806

Acted for the Council in the Court of Appeal in a case concerning the relationship between housing legislation and the Children Act.

### R (IWGB) v Central Arbitration Committee (IP: Deliveroo)

[2024] 2 ALL ER 1

Acted for Deliveroo in a *Lawyer* 'Top 10' Supreme Court appeal about whether collective bargaining legislation breaches riders' rights under Article 11 ECHR.

### R (London Borough of Islington) v Secretary of State for Education

[2024] EWCA CIV 951, [2024] EWHC 1798 (ADMIN)

Acted for the Claimant in proceedings before the High Court and Court of Appeal to challenge to a 'forced academisation'.

### R (Good Law Project) v Prime Minister & Others

[2023] 1 WLR 785

Acted for the Claimant before the High Court and Court of Appeal in a challenge to the use of private email accounts and phones for government business.

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

[2022] EWHC 360 (ADMIN)

Acted for the successful Home Secretary in a challenge to the government's flagship asylum reforms.

### R (Good Law Project) v Secretary of State for Health and Social Care

[2022] EWHC 2888 (TCC)

Successfully obtained a costs-capping order in a challenge to the award of a high-value PPE contract to a firm with links to the former chair of the Conservative Party.

### Governors of St John the Divine Primary School v Lambeth Council

STP659

Acted unled for the governors before the Office of the Schools Adjudicator in their successful challenge to the Council's decision to close their school.

## Data Protection, Technology and Privacy

Raphael is ranked as leading junior in this area by both Chambers and Partners and the Legal 500. He has acted for a number of well-known technology companies in relation to various aspects of digital regulation, and has particular expertise in the Online Safety Act 2023, having appeared for the provider of Wikipedia in the first litigation to come before the courts under that regime.

In the data protection sphere, Raphael acts for controllers in both civil litigation and regulatory appeals.

He also has a particular interest in the intersection of technology with law enforcement and national security, and accepts instructions relating to investigatory powers and the Network and Information Systems Regulations.

> ***Raphael is extremely knowledgeable on data protection issues, responsive and easy to work with.***
>
> LEGAL 500, 2025

### Clearview AI v Information Commissioner

[2025] UKUT 319 (AAC)

Acted for a US facial recognition company in this high-profile challenge to enforcement and penalty notices issued by the Commissioner for alleged breaches of the GDPR and UK GDPR.

### R (Wikimedia Foundation and BLN) v Secretary of State for Science, Innovation and Technology

[2025] EWHC 2086

Acted for the provider of the Wikipedia service, and an anonymous Wikipedia editor, in the first case brought under the Online Safety Act 2023.

### Apple Inc v Secretary of State for the Home Department

[2025] UKIPTRIB 1

Acted for Apple, in a claim relating to the Secretary of State's powers to issue technical capability notices under the Investigatory Powers Act 2016, successfully resisting an application for all details of the case to be private.

### Advice and representation on data breaches

Acted for several controllers in the public and private sector in relation to regulatory or civil proceedings arising from cyber-attacks.

### R (Thompson and Carlo) v Commissioner of Police of the Metropolis

[2025] EWHC 2355

Acting for the Met Police in a challenge to the use of live facial recognition in London.

## Freedom of Information

Raphael is ranked as leading junior in this area by both Chambers and Partners and the Legal 500. He has extensive experience appearing unled in Freedom of Information and Environmental Information for requesters, public authorities and the Information Commissioner.

> ***He is a fantastic junior who adds immense value on complex matters.***
>
> CHAMBERS & PARTNERS, 2026

### Cabinet Office v IC and Good Law Project

[2025] UKFTT 00306 (GRC)

Acted for GLP in an appeal against an Information Notice issued by the Commissioner, relating to a request by a GLP journalist for the name of the fund operating Rishi Sunak's 'blind trust' while he was Prime Minister.

### Cabinet Office v IC and Tommy Sheppard MP

[2024] UKUT 76 (AAC)

Acted for Tommy Sheppard, then the SNP's Spokesman on Scotland, in an Upper Tribunal appeal concerning a request for polling information on attitudes to the Union. The hearing was front-page news in the Scottish press.

### SoS for Energy Security and Net Zero v IC

[2024] UKFTT 184 (GRC)

Acted for the successful Information Commissioner in an environmental information appeal relating to official advice on a Nationally Significant Infrastructure Project.

### Murray-Smith & ors v IC and Transport for London

[2024] UKFTT 001064 (GRC)

Acted for the successful public authority in five joined appeals concerning information about cameras in London and the public safety, national security, course of justice and manifest unreasonableness exemptions under the EIR.

### Tarcy v IC and Transport for London

[2024] UKFTT 778 (GRC)

Acted for the successful public authority in an appeal concerning graffiti damage and the law enforcement exemption under FOIA.

### Williams v IC

[2023] UKUT 312 (AAC)

Acted for the successful Information Commissioner in an Upper Tribunal appeal concerning vexatious requests under s.14 FOIA.

### Ingle v IC and Cambridgeshire County Council

[2023] UKUT 80 (AAC)

Acted for the successful Information Commissioner in an Upper Tribunal appeal concerning the personal information exemption under FOIA.

## Employment

Raphael is ranked as an “up and coming” junior in employment law by Chambers and Partners. He accepts instructions across the full range of commercial and statutory employment matters.

He has appeared in a number of major employment appeals, and also regularly appears unled in the Employment Tribunal, where he has acted for employers across a wide range of sectors including financial services, professional services, technology, leisure, retail and local government.

He has particular expertise in worker status issues, following his instruction in the ***Deliveroo*** appeal in the Supreme Court.

> ***Raphael Hogarth is extremely clever, with an elegant and precise writing style.***
>
> CHAMBERS & PARTNERS, 2026

### R (IWGB) v Central Arbitration Committee (IP: Deliveroo)

[2024] 2 ALL ER 1

Acted for Deliveroo in a *Lawyer* 'Top 10' Supreme Court appeal about whether collective bargaining legislation breaches riders' rights under Article 11 ECHR.

### Boydell v NZP Ltd

[2023] EWCA CIV 373

Acted for the successful employer in proceedings to restrain a departing employee from breaching non-compete, non-deal and non-solicit clauses.

### Employment Tribunal litigation

Acted for a wide range of employers in claims for unfair dismissal, discrimination and other statutory and contractual claims before the Employment Tribunal.

## Procurement and Subsidy Control

Raphael is ranked as a leading junior in this area by Chambers and Partners and as a "*rising star*" by the Legal 500. He accepts instructions from economic operators and authorities.

In the procurement sphere, he has experience of acting in civil proceedings before the Technology and Construction Court and judicial review proceedings before the Administrative Court.

Raphael also accepts instructions in subsidy control matters, including advisory work and judicial reviews of subsidy control decisions before the Competition Appeal Tribunal.

> ***Raphael is an excellent junior. He has a very sharp intellect and is a pleasure to work with.***
>
> **CHAMBERS & PARTNERS, 2026**

### iPlato Healthcare Limited v NHS England

HT-2024-000041

Acted for the Claimant in a High Court challenge to an exclusion decision relating to a major NHS framework.

### Consultant Connect Limited v NHS Bath ICB & ors

[2022] EWHC 2037 (TCC)

Acted for the successful Claimant in this wide-ranging public procurement challenge, in which the Court made the first ever contract shortening order upon finding several breaches of the Public Contract Regulations 2015.

### R (Good Law Project) v Secretary of State for Health and Social Care (Interested Parties)

[2022] EWHC 2888 (TCC)

Acted for the Claimant in a judicial review of the award of a high-value PPE contract to a firm with links to the former chair of the Conservative Party.

### R (Good Law Project) v Secretary of State for Health and Social Care (Pharmaceuticals Direct)

UKSC 2022/0082 (PUBLIC SETTLEMENT REACHED)

Acted for the Appellant in this Supreme Court appeal about extending time in a claim for breaches of the Public Contract Regulations 2015

## Public International Law

Raphael accepts instructions on Public International Law matters and has experience of advising on and litigating these issues in both domestic and international forums.

> ***Raphael is fiercely intelligent and immensely hardworking.***
>
> LEGAL 500, 2025

### Proceedings before a UN agency

Advising on proceedings before the supervisory body of one of the United Nations' specialised agencies.

### Advice on CRPD

Advising on the role of the Convention on the Rights of Persons with Disabilities (CRPD) in claims for disability discrimination contrary to Article 14 ECHR.

### Clearview AI v Information Commissioner

[2023] UKFTT 00819 (GRC)

Domestic privacy appeal regarding a US facial recognition company, raising issues of territorial jurisdiction, state immunity and foreign acts of state.

### R (IWGB) v Central Arbitration Committee (Interested Party: Deliveroo)

[2024] 2 ALL ER 1

Domestic 'gig economy' appeal raising international labour law issues, including the application of International Labour Organization Recommendation 198 on the employment relationship.

## Sport

Raphael accepts instructions in sports law matters, with a focus on regulatory work. He has particular expertise on the Football Governance Act 2025 and is able to draw on his extensive experience of acting both for and against regulators to advise on strategy in contentious regulatory matters. Raphael has contributed to *LawInSport* on football governance issues, including the independence of the new regulator and the regulator's approach to enforcement and sanction.

> ***He was an absolute pleasure to work with, got to grips with a large number of documents and complex issues in no time and our client loved him.***
>
> CHAMBERS AND PARTNERS 2024

# Achievements

## Education

2020: Bar Professional Training Course, City University (Outstanding)

2019: Graduate Diploma in Law, City University (Distinction, 2nd in year)

2016: BA Philosophy, Politics and Economics, Oxford University (First Class)

## Awards

Sir John and Sophie Laws Scholarship (Bar European Group), 2021

Administrative Law Bar Association Mooting Competition – Winner, 2019

11KBW Prize for Public Law (City University), 2019

Monckton Chambers Prize for European Law (City University), 2019

Falcon Chambers Prize for Land Law (City University), 2019

GDL Mooting Competition (City University) – Winner, 2019

Bedingfield Scholarship (Gray's Inn), 2019

GDL Scholarship (Gray's Inn), 2018

GDL Scholarship (City University), 2018

Gibbs Prize in Politics (Oxford University), 2014

## Other

Before coming to the Bar, Raphael was a leader writer and columnist at *The Times*, where he wrote a weekly column about Brexit and trade policy. He also worked at the Institute for Government, where he was a researcher on Brexit and the constitution.

He remains an Associate of the Institute for Government, and has given expert evidence on constitutional matters to several parliamentary select committees. Raphael is also a regular media commentator on the constitution and public law. He writes on these subjects for *Prospect* and *The Times*, and has appeared as a constitutional expert on programmes such as *Newsnight*, BBC News, Sky *Sunrise*, *PM* and the *Today* programme.

> ***Raphael is a brilliant lawyer, who is completely delightful to work with. He is phenomenal.***
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> CHAMBERS & PARTNERS, 2026

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> LEGAL 500, 2026

> ***Raphael is an excellent junior. He has a very sharp intellect and is a pleasure to work with.***
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> CHAMBERS & PARTNERS, 2026

> ***Raphael's attention to detail and ability to develop nuanced arguments but present them in a simple way to clients is a real strength.***
>
> CHAMBERS & PARTNERS, 2026

> ***Raphael Hogarth is extremely clever, with an elegant and precise writing style.***
>
> CHAMBERS & PARTNERS, 2026

*Raphael Hogarth does superb written work.*

CHAMBERS & PARTNERS, 2026

*Raphael is an exceptional barrister. His legal research and his written advocacy are top notch.*

LEGAL 500, 2025

*Raphael is fiercely intelligent and immensely hardworking.*

LEGAL 500, 2025