

39 Essex Chambers  
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## Rory Dunlop KC

Year of call: 2002 | Silk: 2019

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Phone: +44 (0)20 7832 1111

*"He is up there in the top five busiest silks and can turn his mind from one case to another very easily."* Chambers and Partners 2022

*"A brilliant advocate who is really highly skilled and experienced in very challenging cases, and whose work is simply masterful."* Chambers and Partners 2020

Rory is recommended as a leading silk by The Legal 500 and Chambers and Partners in six practice areas: administrative and public law, professional discipline and regulatory law, data protection, immigration and education. He has been shortlisted by Legal 500 for Immigration Silk of the Year 2023

Before taking silk, Rory spent 12 years on the Attorney General's panels, including four years on the A panel. Rory has acted in over thirty cases in the Court of Appeal, five in the Supreme Court and more than a hundred in the High Court. He is the co-author of the Oxford University Press textbook, Detention Under the Immigration Acts: Law and Practice and he wrote the chapter on appeals and judicial review in the most recent editions of the LexisNexis textbook, Disciplinary and Regulatory Proceedings.

On 23 January 2023 Rory was appointed as a Deputy High Court Judge.



## Areas of expertise

Administrative and Public

Regulatory

Immigration and Business Immigration

Data Protection and Information Law

Education

Civil Liberties and Human Rights

Healthcare

Inquiries

Parole Board and Prisons

## Education

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Rory is recommended as a leading silk in education law by both The Legal 500 and Chambers and Partners. Rory's expertise spans primary, secondary and tertiary education and the regulation of teachers.

Universities and colleges: Rory acted for the claimant student in the successful judicial review of the decision by St George's University of London to terminate her registration. He also advises universities and colleges on student disciplinary matters and Tier 4 sponsor licences.

Secondary schools: Rory acts in judicial reviews and appeals against decisions concerning children with special educational needs and school closures. He also advises parents and schools on challenges to exam results, entrance decisions and on data protection issues.

Rory was lead counsel for the Department for Education in a judicial review of the government's policy of providing free full-time childcare for the children of working parents.

Rory appears for and against teachers in professional conduct proceedings and appeals to the High Court.

### Cases of note

- ***R (AW) v St George's, University of London [2020] EWHC 1647 (Admin)*** - Rory acted for the claimant student. The court found that the university's decision to terminate her registration for failure to undergo an occupational health assessment and re-enrol after her absence from the course due to illness was unlawful and unfair. The university had not made clear to the student that if she did not attend the assessment and re-enrol by a certain date it would consider terminating her registration, and it had not sought her observations or submissions on the issue.

[Judgment](#)

- ***R (T) v Secretary of State for Education [2018] EWHC 2582 (Admin)*** - Rory acted for the Secretary of State. The court found that the policy of providing an additional 15 hours of free childcare to the children of working parents did not breach ECHR article 14 read with article 8. The difference in treatment between families where one parent worked and lone parents who were unable to work was objectively justified. The Court of Appeal refused permission to appeal and this appeal is now pending before the European Court of Human Rights.

[Judgment](#)

## Recommendations

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*"He is up there in the top five busiest silks and can turn his mind from one case to another very easily."* Chambers and Partners 2022

*"Rory is always on top of his brief and he is very smooth in submissions." "He is a very, very eloquent advocate. He is a very knowledgeable barrister and he has wide expertise."* Chambers and Partners 2022

*"He is extremely talented and is a very fair opponent who is well respected."* Chambers and Partners 2022

*"Even at the immigration Bar, Rory's command of the authorities is unequalled. He uses this knowledge to great effect, on his feet he can cut down other counsel by showing their submissions are based on misreadings of complex cases."* The Legal 500, 2022

*"Such a tough opponent – there's no aspect of a case he doesn't advance, and you can't miss a single thing because he will spot it. I didn't enjoy that day in court!"* Chambers and Partners 2021

*"He has an understated and calm advocacy style, is extremely intelligent and quickly gets on top of complex issues."* Chambers and Partners 2021

*"Analytically sharp and unflappable in court."* Chambers and Partners 2021

*"There is nothing nicer than listening to him in court, as he makes it all so straightforward and attractive."* Chambers and Partners 2021

*"A formidable class act."* The Legal 500 2020

*"His practice is mostly on the government side but he's equally good at acting for claimants. He's thorough, reliable, easy to work with and extremely proficient."* Chambers and Partners, 2020

## Memberships

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- Association of Regulatory & Disciplinary Lawyers
- Administrative Law Bar Association
- Immigration Law Practitioners' Association
- Human Rights Lawyers' Association
- Bar Pro Bono Unit
- Free Representation Unit

## Qualifications

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### Education

- 1999: BA (Mods) Literae Humaniores (First Class). Examiners' special commendation for an outstanding paper in Logic.
- 1999: BA (Hons) Literae Humaniores (First Class).
- 2000-2001: City University: Postgraduate Diploma in Law (Distinction).
- 2002: Inns of Court School of Law – Bar Vocational Course (Very Competent).

### Scholarships and prizes

- 1990: Full fee scholarship (awarded to top 5 in the year) for Eton College
- 1996: Roberts Gawen scholarship to Magdalen College, Oxford.
- 2000-2001: Lord Bowen scholarship to Lincoln's Inn
- 2001-2002: Lord Mansfield scholarship to Lincoln's Inn.
- 2002-2003: Lord Wolfson scholarships to Lincoln's Inn.
- 2005: Pegasus scholarship to the European Court of Human Rights.

## Additional Information

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### Appointments

- 2002: Called to the Bar (pupillage at 39 Essex Chambers)
- 2005: Registry of European Court of Human Rights
- 2007: Attorney General's 'C' panel of counsel.
- 2008: Attorney General's FOI panel.

- 2011: Attorney General's 'B' panel of counsel.
- 2015: Attorney General's 'A' panel of counsel.
- 2019: Queen's Counsel
- 2023: Deputy High Court Judge

## Publications

- Detention under the Immigration Acts: Law and Practice (OUP), 2015 (author)
- What We Didn't Say: a novel (Twenty7), 2016 (author)

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