



Jack Holborn

Year of call: 2008

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"His work is always first class. He is assiduous in his written pleadings, picks up new and helpful points, and is an advocate who is particularly impressive on his feet" The Legal 500 2022

Jack's practice covers civil liability, public law and costs, with particular expertise in cases cutting across those fields. He is a member of the Attorney General's A Panel of Counsel and the Panel of Special Advocates.

Jack undertakes a range of civil liability work for both Claimant's and Defendants, including for government and insurers, with a focus on personal injury. He has substantial experience in high-value injury claims and group litigation, particular those arising from historic allegations; by or against military personnel; for psychiatric injury; and for sports injuries. He also has experience of property damage claims.

Jack undertakes general public law work, representing claimants, government and public bodies. He has particular experience in immigration & asylum judicial review, regularly appearing in the High Court and Court of Appeal. He also has experience working in matters of constitutional law, welfare, local government, election law, data protection and mental health. Jack also regular appears in the Court of Protection, predominantly on welfare and DOLS matters

Jack has wide experience of inquest and inquiry work, including lengthy and high-profile matters.

Jack provides specialist advice on costs, with a particular expertise in group litigation and costs arising from public law proceedings. With his experience in other areas, he is ideally placed to advise upon costs in a range of cases. Jack also regularly advises solicitors and complainants on professional negligence by solicitors and counsel, including in respect of SRA proceedings and complaints to the Legal Ombudsman.

Areas of expertise

Public Law and Human Rights

Clinical Negligence and Personal Injury

Inquiries and Investigations

Costs and Litigation Funding

Commercial and Construction Law

Regulatory and Disciplinary

Public Law and Human Rights

"He is a strong junior: clever, hard-working and thorough." – Chambers and Partners 2023

Jack is a go-to junior for various government departments and private clients across a breadth of administrative and public law matters. However, he has particular experience in immigration & asylum judicial review, regularly appearing in the High Court and Court of Appeal. His recent work includes claims in respect of the electronic tagging, the EU Settlement Scheme, the Ukrainian migration schemes, video-link evidence from abroad, unlawful immigration detention and

He has also worked on matters of constitutional law, the courts, welfare, local government, election law, data protection and mental health.

Jack also regular appears in the Court of Protection, predominantly on welfare and DOLS matters.

Jack has also worked on a commercial public law matters. In 2011, he spent several months as an associate for *Allen & Overy* in their litigation department, focusing on public law, competition and commercial disputes.

Outside of the law, Jack is a former local councillor, giving him a particular insight into local government cases.

Cases of note:

- ***R (Agca) v Secretary of State for the Home Department* [2023] EWCA Civ 56** - Appeal against the dismissal of a judicial review challenging the refusal of a Turkish national's application for leave to remain under the Ankara Agreement.
- ***Re: X (Secure Accommodation: Lack of Provision)* [2023] EWHC 129 (Fam)** - The President of the Family Division drew attention to the very substantial deficit which existed nationally in the provision of facilities for the secure accommodation of children under the Children Act 1989. Jack represented the Secretary of State for Education.
- ***Qasim Ali Raza v Secretary of State for the Home Department* [2023] EWCA Civ 29** - Appeal against the dismissal of an Upper Tribunal (IAT) appeal. The Appellant complained the hearing of evidence by video-link from Pakistan was unlawful and a nullity. He further appealed on Article 8 grounds. The Court of Appeal dismissed the appeal.
- ***AM v Secretary of State for Work & Pensions* [2022] UKUT 242 (AAC)** - A universal credit claimant was not required to identify the date on which they wished the benefit period to start. The commencement date of any entitlement to universal credit was a matter for the decision-maker's determination in the course of deciding the claim, rather than a constitutive part of the claim itself.
- ***R (MG) v Secretary of State for the Home Department* [2022] 1 WLR 284** - The secretary of state was not required to initiate an independent investigation into an incident which had resulted in an asylum seeker being seriously injured during an attack by another asylum-seeking resident at hotel accommodation provided by the secretary of state. The claimant asylum seeker had failed to demonstrate that the secretary of state had breached her "systems" or "operational" obligations under ECHR art.2 and art.3 to adopt administrative measures which protected life and safeguarded against inhuman or degrading treatment.
- ***R (AB) v Secretary of State for the Home Department* [2022] 1 WLR 5341** - The secretary of state's policy guidance for immigration caseworkers considering the effect on a child of maintaining the "no recourse to public funds" (NRPF) condition on an applicant's grant of limited leave to remain was unlawful.
- ***Agbabiaka (evidence from abroad, Nare guidance)* [2021] UKUT 286** - The Upper Tribunal gave guidance as to the use of video-link evidence from abroad. The guidance has subsequently been applied across the Tribunal system by way of Presidential Guidance. Jack appeared for the Secretary of State.

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