



Gethin Thomas

Year of call: 2017

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Gethin Thomas has a multidisciplinary practice, encompassing public law & human rights, environment & energy, procurement, commercial, financial services, regulatory and planning law.

Reflecting the breadth of his practice, Gethin has acted as sole or junior counsel in proceedings in the Court of Appeal, and in the High Court (in the Administrative Court, Commercial Court, Queen's Bench Division, and Technology & Construction Court).

He is ranked as a 'rising star' in environmental law by the Legal 500.

Gethin is a member of the Attorney General's C Panel of Counsel, and of the Welsh Government's B Panel of Junior Counsel.

Gethin graduated from the University of Oxford with a First Class law degree. Before joining the bar, Gethin worked as a research assistant in public law at the Law Commission for two years. Latterly, Gethin interned at the human rights charity JUSTICE. He worked in the administrative justice team.

Gethin is a contributing editor to the Environmental Law Bulletin (published by Sweet & Maxwell). He has also contributed to the latest editions of *Wilmot-Smith on Construction Contracts* (4th edition, May 2021), and *Shackleton on the Law and Practice of Meetings* (15th Edition, November 2020).

Areas of expertise

Administrative and Public

Environment and Energy

Planning

Commercial

Financial Services, Banking and Pensions

Regulatory and Disciplinary

Inquiries and Investigations

Administrative and Public

Gethin specialises in public law. He regularly acts in judicial review proceedings, as both sole and junior counsel, and on behalf of both claimants and defendants. Gethin has a keen interest in all areas of public law.

Gethin is a member of the Attorney General's C Panel of Counsel, and of the Welsh Government's B Panel of Junior Counsel. He is vetted, and holds security clearance.

Gethin's broad public law practise also spans planning, environment and energy cases, as well as commercial judicial review, procurement and matters concerning the regulation of financial services & pensions. He has particular experience of claims involving Article 1 of the First Protocol to the ECHR (A1/P1). He also has expertise in data protection, information and electoral law.

Notable recent instructions in respect of judicial review claims include:

- ***R (on the application of AB) v Northumbria Healthcare NHS Foundation Trust* [2020] EWHC 2287 (Admin)**: As sole counsel, successfully defending judicial review proceedings on behalf of two NHS Trusts concerning alleged data protection breaches, in the Administrative Court. [Judgment](#)
- ***R (on the Application of WC and anor) v Somerset County Council* [2021] EWHC 2936 (Admin)**: As junior counsel, led by Steve Broach, in a two-day substantive judicial review, challenging Somerset County Council's restructuring of its schooling system. For more information, please see [here](#).
- ***R (Timson) v Secretary of State for Work and Pensions* [2023] EWCA Civ 656**: As junior counsel, led by Clive Sheldon KC and Katherine Apps KC, in a judicial review challenge to the operation of the DWP's third party deduction scheme, at first instance and in the Court of Appeal. For more information, please see [here](#).
- ***R. (on the application of Shawbrook Bank Ltd) v Financial Ombudsman Service Ltd; R. (on the application of Clydesdale Financial Services Ltd (t/a Barclays Partner Finance)) v Financial Ombudsman Service* [2023] EWHC 1069 (Admin)**: As junior counsel, led by James Strachan KC, appeared on behalf of the successful Defendant in two joined cases challenged decisions of the Financial Ombudsman Service concerning "fractional ownership" timeshare schemes.
- ***R (on the Application of Tarian Hafren Severn Shield Cyf) v Marine Management Organisation* [2022] EWHC 683 (Admin)**: Acting as junior counsel, led by David Wolfe KC, in a two-day substantive judicial review challenging a marine licence issued by the Marine Management Organisation, granting permission to dispose of mud, dredged during the course of the construction of Hinkley Point C nuclear power station, in the Severn Estuary. For more information, please see [here](#).
- ***Stuart Binns & Associates v Financial Ombudsman Service* [2021] EWHC 1620 (Admin)**: As sole counsel, successfully defending a judicial review claim at a renewal of permission hearing, appearing against a KC.
- ***Chigwell (London) Limited v Gateway Housing Association* [2022] EWHC 3391 (TCC)**: As sole counsel, successfully obtaining summary judgment in a claim brought in respect of an abandonment of a procurement by a contracting authority in the High Court.
- ***R (on the application of Unite the Union) v North Yorkshire Police Constable & anor*** : As junior counsel, led by Katherine Apps and Oliver Segal KC, in, acting on behalf of the claimant in a judicial review challenge to the impact of the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020 on lawful picketing within section 220 and 220A of the Trade Union and Labour Relations Consolidation Act 1992. For more information, please see [here](#).
- ***R (BMA, FDA, Prospect and PCS, GMB, Unite and ors) v Chancellor for the Exchequer***: As junior counsel, led by James Eadie KC, Daniel Stilitz KC, Simon Murray and Joanne Clement, in a series of judicial review challenges to the Public Sector Exit Regulations 2020, which include A1/P1 grounds.
- ***R (Medical Defence Union) v Welsh Government & ors*** : As junior counsel, acting on behalf of

Welsh Government, in relation to a judicial review brought by the Medical Defence Union, challenging its decision not to introduce an existing liabilities indemnity scheme for NHS GP's, which include A1/P1 grounds, led by Rhodri Williams KC and Jo Clement.

- ***R (Family Rights Group) v Secretary of State*** : As junior counsel to Steve Broach, in a judicial review claim, intimated by Family Rights Group, challenging the discriminatory impact of the lockdown restrictions on kinship carers. The claim was conceded by the Secretary of State, and changes were consequently made to the relevant regulations. For more information, please see [here](#).
- **Procurement challenge in defence sector**: Assisted Parishil Patel KC in respect of a procurement challenge.
- **Procurement challenge in health sector**: As sole counsel, advising on the prospects of a procurement challenge, involving interpretation of the award criteria; equal treatment; non-discrimination; proportionality and transparency.
- ***R (on the application of LW) v Lancashire County Council*** : As junior counsel, led by Steve Broach, in a judicial review of a local authority's funding of its short breaks service for disabled children. For more information, please see [here](#).
- ***R (on the application of Jennifer Dawes) v SST and Anor*** : Acting as junior counsel to Paul Stinchcombe KC and Richard Wald KC in a judicial review challenging the grant of a development consent order re-opening Manston Airport, on climate change grounds.
- ***R (Transport Action Network Ltd) v SST and Anor [2020] EWHC 3235 (Admin)***: Acting as junior counsel in a judicial review challenging the Road Investment Strategy 2, in respect to the renewal of the application for permission on air quality and SEA grounds before the Administrative Court and Court of Appeal, led by David Wolfe KC and Peter Lockley).
- As junior counsel, led by Parishil Patel KC, in a proposed challenge the lack of a national framework for treatment prioritisation, if demand for life-sustaining treatment outstrips supply during the COVID-19 pandemic (instructed by Bindmans LLP). For more information, please see [here](#).
- As junior counsel, led by Vikram Sachdeva KC, in respect of a proposed human rights claim in respect of the Government's delay in instigating a lockdown in response to the Covid-19 pandemic. For more information, please see [here](#).

Gethin is also regularly instructed to advise on a broad range of public law issues. He also has experience of inquiries and investigations. Recent instructions include:

- **South Wales Fire and Rescue Service Culture Review**: As junior counsel to Fenella Morris KC and Charlene Ashiru, assisting in respect of an independent cultural review.
- **Independent Human Rights Act Review Panel**: Advising the Independent Human Rights Act Review Panel, chaired by Sir Peter Gross.
- **Infected Blood Inquiry**: Acting as junior counsel to Charlie Corey-Wright KC by NHS Blood and Transplant, a core participant in the Infected Blood Inquiry.
- Advising the **Windrush Lessons Learned Review**.
- Advising the **Sovereign Borders Programme**.
- **International sanctions**: Advising the Foreign, Commonwealth & Development Office (FCDO) on proposed sanctions designations.
- **Pensions regulation**: Assisting Katherine Apps, in advising as to the implications of *R (on the application of Palestine Solidarity Campaign Ltd and another) v Secretary of State for Housing, Communities and Local Government*[2020] UKSC 16, in respect of pensions regulation.

- **ICO complaints and appeals:** Advising in respect of a complaint to the Information Commissioner's Office.
- Advising the **Office for Students**, as consultant counsel.
- Advising the **Financial Ombudsman Service**, as consultant counsel.
- Advising the **Civil Aviation Authority**.

Gethin's broad experience also includes acting in private law matters, involving a public or regulatory law element.

Before joining the bar, Gethin worked on public law reform projects in areas such as electoral law, misconduct in public office and wildlife law. He has particular experience of those areas. Gethin also worked on a project that proposed a new system of codification for the law applicable to Wales, and has a particular interest in Welsh law.

Gethin was also an administrative justice intern at JUSTICE.

Memberships

- Administrative Law Bar Association
- UK Environmental Law Association
- Environmental Law Foundation
- Commercial Bar Association
- Association of London Welsh Lawyers

Qualifications

- 2014, BA Jurisprudence, Harris Manchester College, University of Oxford – First Class
- 2017, BPTC, BPP University – Very Competent

Additional Information

Scholarships and Awards

- 2016, Lord Edmund-Davies Award, Gray's Inn
- 2016, Residential Scholarship, Gray's Inn
- 2016, Excellence Award, BPP University
- 2017, ALBA Conference Scholarship

Pro Bono and Other Voluntary Work

- Gethin is committed to pro bono work.
- Gethin is a Trustee of the Lord Edmund-Davies Trust, which is an independent charity established in 2013 to serve young people living in Wales or having a connection with Wales who are interested in entering the legal profession.
- Gethin is a member of the Environmental Law Foundation, through which he provides pro bono advice.
- Gethin has volunteered with Free Representation Unit, acting for claimants in social security appeals. Further examples of Gethin's pro bono experience include volunteering as an adviser at Bethnal Green Legal Advice Centre and as a researcher with Citizens Advice Bureau.

- He was a human rights education trainer with Amnesty International.
- Gethin has been a mentor on the Vocalise programme, where he taught debating in prisons.
- Gethin has also volunteered with Big Voice, a social mobility and youth empowerment charity

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