



## Ian Brownhill

Year of call: 2009

Email: Ian.Brownhill@39essex.com

Phone: +44 (0)20 7832 1111

*"A very good advocate who is gifted on his feet."* Chambers and Partners 2022

*"Ian is incredibly knowledgeable in many fields. His advice is always very considered and balanced, and he is adept at putting clients at ease and is always very approachable."* The Legal 500 2022

Ian is a specialist in public, human rights and regulatory law.

Ian's practice encompasses a variety of areas but is primarily focused on safeguarding adults, mental capacity, medical treatment, sport and criminal justice issues.

Ian's practice crosses borders, he does not only work in England and Wales but often advises as to issues involving Scotland, Ireland, British Overseas Territories and countries within the European Union. Ian is frequently instructed by charities, non-governmental organisations (NGOs) and companies with an international reach, especially in respect of safeguarding matters.

Alongside Ian's advisory and advocacy practice, he acts as a trainer, investigator and adjudicator. Ian sits as HM Assistant Coroner for Kent, is a chair and member of the Football Association's Safeguarding Review Panel and is Legally Qualified Chair and Hearing Body Panel Member for British Equestrian.



## Areas of expertise

Court of Protection - Welfare

Court of Protection - Property and Affairs

Medical Treatment Cases

Administrative and Public

- Civil Liberties and Human Rights
- Education
- Inquests
- Parole Board and Prisons
- Safeguarding
- Investigations
- Sport
- Regulatory

## Court of Protection - Welfare

---

Ian has acted in Court of Protection cases at every level, including in the Supreme Court. Ian is instructed in the most serious cases which the Court of Protection hears, often before a Tier 3 (High Court) judge. Ian is regularly instructed in cases against leading counsel as a junior alone. Ian's work in this area is ranked by Chambers and Partners and The Legal 500.

Many of Ian's cases involve:

- physical, sexual or financial abuse,
- a P who is assessed to be at risk of offending,
- concerns that P has been radicalised, brainwashed, trafficked or groomed.

Cases of note:

- ***A Local Authority v JB (by his litigation friend, the Official Solicitor)* [2021] UKSC 52** - Ian acted for JB (by his litigation friend, the Official Solicitor) in the High Court, Court of Appeal and in the Supreme Court. This is the leading case as to how to approach the question of mental capacity in respect of sexual relations. Ian was led by Parishil Patel QC and John McKendrick QC within the course of the case.  
Judgment
- ***WU v BU* [2021] EWCOP 54** - The Court of Protection granted a final injunction to prevent a man from contacting a woman and preventing their marriage. The man had exercised coercive control over her, deliberately intending to secure a financial benefit for himself. Ian was led by Parishil Patel QC.  
Judgment
- ***Greenwich RLBC v EOA* [2021] EWCOP 20** - The court made declarations that the P lacks capacity to make decisions regarding foreign travel, contact with his family and others and social media and internet usage. Ian represented P who had been subject to extreme religious and anti-social indoctrination as well as emotional and physical abuse.  
Judgment
- ***A Local Authority v GP (Capacity: Care, Support and Education)* [2020] EWCOP 56** - The leading case as to the approach to be taken as to whether P is able to make a capacitous decision to accept or refuse care, support and education.  
Judgment
- ***Re SF (Injunctive Relief)* [2020] EWCOP 19** - The power of the Court of Protection to grant injunctions against persons.  
Judgment
- ***P (Court of Protection: Transparency)* [2019] EWCOP 67** - Court of Protection proceedings in respect of a 25-year-old man who had committed sexual offences and was subject to a suspended

sentence order. The judgment considers how concerns in respect of jigsaw identification should be considered in the transparency order.

Judgment

## Recommendations

---

*"He is user-friendly, very generous with his time and knows a lot about the way the prisons and probation interface with Court of Protection issues, which is really helpful in complex cases."* Chambers & Partners UK, 2022

*"Ian is incredibly knowledgeable in many fields. His advice is always very considered and balanced, and he is adept at putting clients at ease and is always very approachable."* The Legal 500, 2022

*"Ian's knowledge of this area of law is endless; there is nothing he does not know. In cross-examinations he leaves no stone unturned and always ensures the best job is done for the client."* Chambers & Partners UK 2021

*"Ian is a robust and punchy advocate, very well liked and respected, who always gives good, practical advice. Extremely hard working and highly intelligent barrister who works on complex issues quickly and efficiently."* The Legal 500 2021

*"He is knowledgeable, takes a no-nonsense approach and he is very good at problem solving. He very quickly gets straight to the heart of the issues."* *"An incredibly passionate advocate."* Chambers & Partners UK 2020

*"Incredibly bright, articulate, approachable, and responsive."* The Legal 500 2020

*"He's a real rising star in the Court of Protection – he's always really responsive, is very skilled in cross-examination and he's easy to work with."* *"Ian's drafting and advocacy is always so concise."* Chambers & Partners UK 2019

## Memberships

---

- Court of Protection Bar Association (CPBA)
- The Coroners' Society for England and Wales
- Amicus ALJ

## Qualifications

---

### Education

- Jurisprudence, BA Hons (Oxon), Lincoln College, Oxford University
- BVC, College of Law

### Scholarships and prizes

- Hardwicke Entrance Scholarship, Lincoln's Inn
- Tancred Student, Lincoln's Inn
- Shelford Scholarship, Lincoln's Inn.

## Additional information

---

## Appointments

- HM Assistant Coroner for Kent
- Chair and Member of the Football Association's Safeguarding Review Panel
- Legally Qualified Chair and Hearing Body Panel Member for British Equestrian.

## Languages

- French (conversational)

---

### London

81 Chancery Lane,  
London  
WC2A 1DD  
Tel: +44 (0)20 7832 1111  
DX: London/Chancery Lane 298  
Fax: +44 (0)20 7353 3978

### MANCHESTER

82 King Street,  
Manchester  
M2 4WQ  
Tel: +44 (0)16 1870 0333  
Fax: +44 (0)20 7353 3978

### SINGAPORE

Maxwell Chambers,  
28 Maxwell Road,  
WC2A 1DD  
04-03 & 04-04, Maxwell Chamber  
Suites  
Singapore 069120  
Tel: +65 6320 9272

### KUALA LUMPUR

#02-9, Bangunan Sulaiman  
Jalan Sultan Hishamuddin,  
50000 Kuala Lumpur,  
Malaysia  
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com