



## 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

## Costs and Litigation Funding

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*"Jack's knowledge and grasp of costs issues in unusual, technically difficult and high value costs cases is magnificent."* Chambers and Partners and The Legal 500 2023

Jack advises on a full range of costs matters, and has notable expertise in group litigation, costs arising from judicial review proceedings, enforcement against legally aided parties and solicitor-client costs. He regularly appears at costs assessments, interlocutory hearings and in costs appeals. He also advises as to drafting of solicitors' retainers including CFAs and DBAs.

Arising out of this work, Jack regularly advises solicitors and complainants on professional negligence by solicitors and counsel, including in respect of related SRA proceedings and complaints to the Legal Ombudsman.

### Cases of note

- ***R (M Sport Ltd) v HMRC [2021] EWCA Civ 561*** - A judge had been right to refuse a taxpayer the costs of its application for judicial review of notices issued against it by HMRC under the Finance Act 2014 Pt 4, where HMRC had withdrawn the notices after service of the proceedings. The application had been prematurely made, as the statutory procedure for making representations in response to the notices had not been completed. The Court considered the jurisdiction to entertain an appeal against the refusal to permit an
- ***LM Associated Ltd v Gibbeson [2020] EWCA Civ 1460*** oral renewal hearing in a costs appeal.
- ***Rippon Patel & French v Mowlam [2020] EWHC 1079 (QB); [2020] Costs LR 523*** - The prohibition in the Solicitors Act 1974 s.70(4) against ordering detailed assessment of a solicitor's bill more than 12 months from "payment of the bill" meant payment of the entire sum due under that bill; part payment was not sufficient. Payment into a solicitor's client account was not payment.
- ***R (JM & ors) v Secretary of State for the Home Department [2018] (unreported)*** - Decision by Master Nagalingham as to whether proceedings are concluded for the purposes of CPR 47.1 by transfer of damages claim to the County Court in an action proceeding under a Group Litigation Order

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