



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

Clinical Negligence and Personal Injury

'Jack is a great junior, clearly enjoys his work and is very approachable.' Chambers and Partners 2023

Jack accepts instructions in a range of personal injury and clinical negligence matters and appears regularly for both claimants and defendants in multi-track cases in the county courts and High Court, including in claims for catastrophic personal injury.

He is regularly instructed in high-value claims, with particular experience in claims against public authorities, including arising out of breaches of human rights. He is currently instructed by the MoD in a number of claims by military personnel. Much of his work involves claims for psychiatric injury and chronic pain.

Jack has particular experience for sports injuries, and is currently instructed on behalf of the RFU in a number of claims involving concussion in rugby. He also has notable experience in claims for exposure to asbestos, fatal accident claims, claims by cyclists, for accidents abroad and for claims involving allegations of fundamental dishonesty.

Cases of note:

- ***Newell v Ministry of Justice* [2021] EWHC 810 (QB)** - Jack was instructed by the MoJ in a claim by a prisoner who was seriously assaulted by another prisoner. Both prisoners were on full-life tariffs and exercising together in isolation from other prisoners due to the danger they posed. The case raised issues as to the duty and standard of care prisons have towards dangerous inmates in custody, as well as the test for claim under Article 3 of the ECHR.
<https://www.bbc.co.uk/news/uk-england-beds-bucks-herts-55996781>
 - ***Kimathi & ors v FCO* [2018] EWHC 3144 (QB)** - Jack was instructed for the Foreign & Commonwealth Office, along with Neil Block QC and Lisa Giovannetti QC of chambers, in a group action brought by 44,000 claimants who alleged that they were victims of assaults whilst detained or in the course of security forces operations during the emergency in Kenya between 1952 and 1959. The action followed earlier claims brought in ***Mutua & Ors v FCO***, which were compromised in 2013. The Claimants sought damages, but relied upon a range of international and domestic human rights obligations in support of their claims.
The case was dismissed in November 2018 after one of the longest in English legal history. Jack was the longest serving member of the Government's legal team instructed on these claims, working on all aspects of the litigation during the 8 ½ years he was instructed
<https://www.theguardian.com/world/2017/feb/28/court-hears-of-policy-to-discredit-abuse-claims-during-mau-mau-uprising>
<https://www.theguardian.com/world/2016/may/23/mau-mau-rebellion-kenyan-victims-compensation-claim><https://www.theguardian.com/law/2016/may/22/mau-mau-kenya-compensation-lawsuit-high-court><https://www.bbc.co.uk/news/uk-19843719>
 - ***Kimathi & ors v FCO* [2018] EWCA Civ 2213** – Court of Appeal refused the Claimants' application for permission to appeal judgment in the first test claim.
 - ***Kimathi & ors v FCO* [2018] EWHC 2066 (QB)** – Judgment upon the first test claim. Claim dismissed, the Judge refusing to disapply limitation pursuant to section 33 of the Limitation Act.
 - ***Kimathi & ors v FCO* [2018] EWHC 1169 (QB)** – Considering issue of "concealment" under section 32 of the Limitation Act 1980.
 - ***Kimathi & ors v FCO* [2018] EWHC 1070 (QB)** – Admissibility of Hansard and extent of Parliamentary Privilege; admissibility of fresh evidence during trial
 - ***Kimathi & ors v FCO* [2017] EWHC 2145** – Civil procedure; Amendments to statements of case mid-trial, and dispensing with Statements of Truth
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