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## Benjamin Tankel

Year of call: 2009

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Phone: +44 (0)20 7832 1111

*"A most impressive lawyer with a penetrating and subtle mind"* The Legal 500, 2022

Benjamin Tankel practises in public law, regulatory law, professional discipline, financial services, and procurement.

Ben always strives to understand the needs and wishes of his clients, to give pragmatic and practical advice, and to achieve the best possible outcome in the most cost-effective way. He enjoys working collaboratively as part of a team.

He represents central government, local authorities, NHS bodies, regulators, education bodies, and claimants. He has been involved in some of the most significant public law cases of recent times, including the Charlie Gard case and challenges to the prohibition against assisted dying.

He regularly appears in all levels of court and tribunal, including six appearances in the Supreme Court.

Ben graduated with a double first in History from Sidney Sussex College at Cambridge University, where he came top of his year in a number of papers and won several prizes and scholarships.

## Areas of expertise

Administrative and Public

Disciplinary

Regulatory

Banking and Financial Services

Procurement

Healthcare

Court of Protection - Welfare

Community Care and Mental Health

Medical Treatment Cases

Education

# Community Care and Mental Health

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Ben advises local authorities, ICSs, and claimants, on community care issues including:

- Children's Services
- Adult Social Care
- Judicial review
- The social care/healthcare interface
- The interaction of community care with housing and with special educational needs
- Those with no recourse to public funds
- Ordinary residence disputes. Ben regularly decides ordinary residence disputes on behalf of the Secretary of State and so has extensive experience in this area.
- Financial assessment, charging, and deprivation of assets, including where there are property law issues.
- Court of Protection

## Cases of Note

- ***R(Forge Care Homes) v Cardiff and Vale University Health Board and others* [2017] UKSC 56** - Represented all seven local health boards in Wales in this Supreme Court case about the social care / healthcare funding divide, estimated to be worth around £250 million per year nationally. Led by Fenella Morris KC.
- ***R(MN) v Hackney LBC* [2013] EWHC 1205 (Admin)** - Acted for the claimants in a challenge under the Children Act 1989 and the Human Rights Act 1998 to a decision by the local authority to refuse to provide support and accommodation. MN is now widely relied upon by local authorities in similar cases.

## Recommendations

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- *"A most impressive lawyer with a penetrating and subtle mind"* (*The Legal 500, Administrative Law and Human Rights, 2023*)
- *"balances clear legal advice with thoughtfulness about the impact of a case"* (*The Legal 500, Professional Disciplinary and Regulatory Law, 2023*)
- *"demonstrates a strong level of commercial vision"* (*Chambers, Administrative & Public Law 2023*)

## Qualifications

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### Education

- 2007: BA (History), Double First, Sidney Sussex College, University of Cambridge.
- 2008: Graduate Diploma in Law, City University.
- 2009: Bar Vocational Course, BPP.

### Prizes & Scholarships

- 2008: Astbury Scholarship (Middle Temple).
- 2007: Diplock Scholarship (Middle Temple).
- 2007: Peachey History Prize for highest first in College.

- 2006: Peachey History Prize for highest first in College.
- 2006: Parry Dutton Scholarship for North American History.

## Memberships

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- Constitutional and Administrative Law Bar Association (ALBA)

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