



## Stephanie David

Year of call: 2016

Email: stephanie.david@39essex.com

Phone: +44 (0)20 7832 1111

*"Stephanie has a brilliant legal brain: she is able to see problems and work them through before arriving at the best answer."* The Legal 500 2024

*"An engaging, courageous advocate."* The Legal 500 2024

Steph has a multi-disciplinary practice focussing on matters affecting health, sport and the environment. She is ranked as a "rising star" in administrative law and human rights, as well as Court of Protection, and a "leading junior" in environmental law by The Legal 500. Her experience spans a wide range of work, from public interest judicial reviews, regulatory work to private law claims and commercial claims.

She holds degrees from the University of Cambridge and the London School of Economics, where she was awarded the prize for the best mark in the LLM in Human Rights (2014).

Steph is a regular contributor to the Journal of Environmental Law, LawInSport and Sport Resolutions. She has peer reviewed for the Australian and New Zealand Sports Law Journal.. She has also contributed to the latest edition of Wilmot-Smith on Construction Contracts (4th edition, May 2021),

## Areas of expertise

Administrative and Public

Commercial

Civil Liberties and Human Rights

Healthcare

Environment and Planning

Sport

Court of Protection and Medical Treatment

## Administrative and Public

Steph specialises in public law and human rights; and is ranked as a "rising junior" in the The Legal 500. She regularly appears as sole or junior counsel in the High Court and Court of Appeal. She is consistently junior to leaders in the field.

Steph's broad public law practice spans planning and environmental matters, health and social care, procurement and commercial judicial review, regulatory work and financial services.

Notable recent instructions include:

- ***R (Hexpress Healthcare Ltd) v Care Quality Commission* [2023] EWCA Civ 238 and [2022] EWHC 2943 (Admin)** – As junior counsel to Daniel Stilitz KC, successfully represented the CQC in the Court of Appeal and High Court in a challenge to the CQC's factual accuracy process and inspection methodology; an interim injunction was also sought. Judgment in the Court of Appeal and judgment in the High Court
- Advising on an urgent judicial review relating to an anti-abortion protest outside a hospital engaging Articles 8, 9, 10 and 11 of the Convention
- ***R (Meenal Viz and Nishant Joshi) v (1) Secretary of State for Health and Social Care (2) Public Health England* (case no. CO/2095 /2020)** – As junior counsel to Jenni Richards KC, acted for the British Medical Association, an interested party in a challenge to guidance on Personal Protective Equipment on Article 2 and 8 grounds, during the Covid-19 pandemic.
- Representing a local authority in a challenge in respect of a ticket allocation at a Premier League football match
- ***R (LSA Secure Limited) v Care Quality Commission* Case no. CO/028122021** – As sole counsel at the hearing, successfully defended the CQC in a case concerning the meaning of "care and treatment" within the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014/2936.
- ***R (Good Law Project Limited) v Secretary of State for Health and Social Care* [2022] EWHC 2468 (TCC)** - As junior counsel, represented the Good Law Project in their procurement challenge to the award of contracts for the manufacture and supply of rapid Covid-19 antibody tests. Judgment
- ***R (Thomson and Anr) v (1) Secretary of State for Health and (2) NHS England* (case number CO/4187/2020)** – As junior counsel to Vikram Sachdeva KC and Benjamin Tankel, represented the claimants in their challenge to the defendants' failure to produce a national triage policy in relation to the prioritisation of access to critical care resources, during the pandemic, raising the statutory duties under the Civil Contingencies Act 2004 and Article 8 Convention rights
- ***R (London Borough of Hillingdon and others) v Secretary of State for Transport* [2019] EWHC 1070 (Admin); *R (Plan B Earth and others) v Secretary of State for Transport* [2020] EWCA Civ 214** - As junior counsel to Nigel Fleming KC, Stephen Tromans KC, Ben Jaffey KC and Catherine Dobson, represented five local authorities, Greenpeace and the Mayor of London in this challenge to the Airports National Policy Statement raising climate change, air quality, and habitats issues.
- Advised on the interpretation of Civil Aviation Authority guidance on hydraulic hoses, within the domestic and EU regulatory scheme.
- Advising the Financial Ombudsman Service on jurisdictional and other matters, for example, in relation to SIPP operators and contractual transfers of business (including transfers of liability under the Financial Services and Markets Act s.234B).

## Memberships

---

- Administrative Law Bar Association ("ALBA")
- Women in Sports Law ("WiSL")
- Court of Protection Bar Association ("CPBA")
- UK Environmental Law Association ("UKELA")

# Qualifications

---

## Education

- 2018, Asian International Arbitration Centre, Certificate in Sports Arbitration
- 2014-2016, City Law School, Bar Professional Training Course
- 2012-2014, Master of Laws, London School of Economics and Political Science ("LSE"), Distinction
- 2011-2012, City Law School, Graduate Diploma in Law, Distinction
- 2008-2011, Emmanuel College, University of Cambridge, Human, Social and Political Sciences, MA Hons (Cantab)

## Scholarships and Prizes

- 2014 – Prize for best mark in LLM in Human Rights at the London School of Economics and Political Science
- 2013 – UK Semi-Finalist in the Jessup Public International Law Moot
- 2012 – Lord Denning Scholarship, Honourable Society of Lincoln's Inn
- 2009, 2010 – Senior Exhibition at Emmanuel College, University of Cambridge
- 2008 – Prime Minister's Global Fellowship

---

### 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