



Steve Broach KC

Year of call: 2008 | Silk: 2024

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"He works incredibly hard and works with the most challenging and complex cases. He is a very strong advocate for disabled and vulnerable people." Chambers and Partners 2024

Steve is a public lawyer with particular expertise in health, education and social care and disability and children's rights cases. He is a discrimination specialist and has acted in many of the leading public law discrimination cases.

Steve is instructed in the High Court and above in applications for judicial review, the Court of Protection for cases involving the Mental Capacity Act 2005 and the First-tier and Upper Tribunals in education and other appeals. He frequently advises clients on safeguarding issues. He is also regularly instructed in civil claims raising human rights and discrimination issues.

Prior to taking Silk in 2024, Steve had already developed a significant leading practice; he was frequently instructed as 'leading junior' in high profile judicial review cases, including challenges to central government policies and decisions.

As a junior, Steve was ranked in four categories by Chambers and Partners, including as a 'Star Individual' for Education and in Band 1 for Administrative and Public Law and Community Care. He was described as 'the Godfather of education law' and 'undoubtedly the go-to barrister for education cases' in Chambers and Partners 2024. He has appeared in many reported cases, including leading Supreme Court cases on disability issues. Steve was named Young Barrister of the Year at the Legal Aid Lawyer of the Year Awards 2011 and 'Future Leader: Diversity & Inclusion' at the Chambers UK Bar Awards 2021.

Steve is co-author of Disabled Children: A Legal Handbook (Legal Action Group) and is an editor of the Community Care Law Reports. He previously worked in the voluntary sector in senior roles relating to disability and children's rights.

Areas of expertise

Community Care and Mental Health

Consultation

Education

Education

Steve is an education specialist and is ranked in Band 1 in this area by Chambers and Partners. His particular area of expertise is the law in relation to children and young people with special educational needs. He co-authors the leading practitioner text in this area (Disabled Children: A Legal Handbook). He has been instructed in the highest profile recent cases concerning this group, including Simone (a challenge to the national Budget) and Shaw (a challenge to statutory instruments introduced in response to the Covid-19 pandemic).

Cases of note:

- ***R (L, M and P) v Devon CC [2022] EWHC 493 (Admin)*** - As lead counsel, Steve acted for three children in a case which established that there is a fixed timeframe for the production of amended education, health and care plans following annual reviews. Steve's submissions on the proper construction of the relevant regulations were accepted by The Honourable Mrs Justice Foster DBE. The judgment will benefit thousands of children and young people with significant special educational needs each year.
- ***R (WC and BB) v Somerset CC [2021] EWHC 2936 (Admin)*** - Steve was lead counsel for both claimants in this complex challenge to a local authority's reorganisation of its school system, involving the deletion of the 'middle school' tier of schooling in a significant area of the county. The two claims were brought on a total of seven grounds of judicial review, with permission granted on all grounds.
- ***R (Shaw and another) v Secretary of State for Education [2020] EWHC 2216 (Admin)*** - Steve was instructed as lead counsel in this high-profile challenge to a number of statutory instruments which downgraded the entitlements of children and young people with special educational needs in response to the Covid-19 pandemic.
- ***R (Simone) v Chancellor of Exchequer and Secretary of State for Education [2019] EWHC 2609 (Admin)*** - Steve was first junior counsel in this challenge to the national funding allocation for special educational provision, which included a challenge to the national Budget. This case remains the only occasion the court has granted to permission to apply for judicial review in relation to a challenge to the Budget.

Recommendations

- *"He works incredibly hard and works with the most challenging and complex cases. He is a very strong advocate for disabled and vulnerable people."* Chambers and Partners 2024
- *"He's creative, clever and passionate as well as being a delight to work with."* Chambers and Partners, 2022
- *"He's very accessible to lawyers and the public, and he really feels like part of the team when you're working with him."* Chambers and Partners, 2022
- *"A very talented barrister and one of the hardest-working people at the Bar, full stop."* Chambers and Partners, 2022
- *"He has excellent knowledge of law relating to special educational needs, public law and issues affecting young people generally. He also provides very clear advice and is a good advocate. He's very approachable and excellent at reassuring nervous clients."* Chambers and Partners, 2022
- *"Steve is incredibly good at understanding disability issues."* Chambers and Partners, 2022
- *"Very strong academically and a very good advocate, he's a go-to junior."* Chambers and Partners, 2021
- *"His advice is excellent. He's forceful and his submissions carry weight. He's also good at dealing with clients – he understands their needs and translates them into good outcomes."* Chambers and Partners, 2021

- *"Unbelievably committed and conscientious. Very knowledgeable about special educational needs and the rights of disabled children."* Chambers and Partners, 2021
- *"An excellent advocate, able to clearly present the case to the judge in a measured way and respond to judicial questioning calmly, maintaining a high standard of presentation of the case."* The Legal 500, 2021

Memberships

- Administrative Law Bar Association (ALBA)
- Human Rights Lawyers Association (HRLA)
- Equality and Human Rights Commission A Panel of counsel
- Education Law Association (ELAS)
- Barristers with Lived Experience of Mental Illness (BLEMI)

Qualifications

Education

- 2006, University of London, MA Politics
- 2001, University of Edinburgh, MA History

Scholarships and Prizes

- Future Leader: Diversity & Inclusion, Chambers UK Bar Awards 2021
- Young Legal Aid Barrister, Legal Aid Lawyer of the Year Awards 2011
- Diplock Scholar and Queen Mother's Scholar, Middle Temple.

Appointments

- 2019-2023 – Part time judge of the Mental Health Tribunal
- 2021-2023 – Part time judge of the Court of Protection (Deputy District Judge)

Languages

- French (Conversational)

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