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Ian Brownhill

Year of call: 2009

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"Ian is a brilliant advocate" Chambers and Partners 2024

Ian was awarded the Legal 500 Bar Awards junior of the year for Court of Protection and community care in 2023. He is one of the country's leading specialists in mental capacity, medical treatment disputes and has a broad practice in public, human rights and regulatory law.

Outside of the Court of Protection, Ian advises and acts in safeguarding cases in respect of both adults and children. Sport, education and criminal justice issues feature frequently in his cases. Ian's inquest practice often involves highly sensitive cases with a mental health element.

Ian's practice has crossed borders. Ian is frequently instructed by charities, non-governmental organisations (NGOs) and companies with an international reach, especially in respect of safeguarding matters. Ian has been instructed by, or worked alongside, lawyers from Scotland, the United States, Canada, the Crown Dependencies and British Overseas Territories.

Ian was one of the first barristers to be ranked by Chambers and Partners for his work in respect of independent investigations. In addition, he is commissioned to provide training to statutory organisations and in the private sector.

Ian sits as HM Assistant Coroner for Kent, is a chair and member of the Football Association's Safeguarding Review Panel and is Legally Qualified Chair and Hearing Body Panel Member for British Equestrian.



Areas of expertise

Court of Protection - Welfare

Court of Protection - Property and Affairs

Medical Treatment Cases

Administrative and Public

-- Civil Liberties and Human Rights
-- Education
-- Inquests
-- Parole Board and Prisons
-- Safeguarding
Investigations
Sport
Regulatory

-- Parole Board and Prisons

Ian has advised in prison law matters in England and Wales since 2008. He has in addition advised in respect of prison law issues in the United States, prisoner repatriation issues across the European Union and in Asia. Ian has appeared in complex sentence calculation cases where foreign courts have imposed sentences which have been carried out in England and Wales.

Ian primarily now acts in prison law cases in the Administrative Court, especially where prisoners have an issue in respect of their mental health or capacity. However, Ian still acts in cases before the Parole Board where the legal issues are very complex or the prisoner is high profile.

Cases of note:

- ***M v the Secretary of State for Justice*** - Ian and Tor Butler-Cole QC successfully argued that the policy that female prisoners could generally be categorised as open prisoners only in the two years before their conditional release date compared to three years for male prisoners was discriminatory.
- ***Bousfield v The Parole Board for England and Wales* [2021] EWHC 3160 (Admin)** - Ian led Stuart Withers in this successful judicial review claim as to the correct legal test derived from *Sim*, as to how to apply the presumption in favour of release.
[Judgment](#)
- ***Stokes, R (On the Application Of) v Parole Board of England and Wales* [2020] EWHC 1885 (Admin)** - A reconsideration decision made by a parole board pursuant to the Parole Board Rules 2019 was quashed. The Parole Board had not given adequate reasons for its decision and had not properly engaged with the prisoner's assertion that the panel's decision was flawed by procedural unfairness.
[Judgment](#)
- ***EG, R (On the Application Of) v The Parole Board of England and Wales* [2020] EWHC 1457** - Ian appeared with Caoilfhionn Gallagher QC and Jake Rylatt in this challenge as to how the Parole Board enables prisoners to participate when they lack capacity to conduct their parole proceedings.
[Judgment](#)
- ***PL v Parole Board of England and Wales* [2019] EWHC 3306 (Admin)** - Successful judicial review of the Parole Board when they failed to properly grapple with psychological evidence in a case.

Recommendations

"Ian is very approachable and knowledgeable. His advocacy is exceptional and his drafting skills are fantastic." Chambers & Partners UK, 2024

"Ian Brownhill is well versed in conducting independent investigations across a wide variety of sectors including education, charities, social care and sport. He is experienced in matters concerning safeguarding

and other sensitive issues." Chambers & Partners UK, 2024

"He is user-friendly, very generous with his time and knows a lot about the way the prisons and probation interface with Court of Protection issues, which is really helpful in complex cases." Chambers & Partners UK, 2022

"Ian is incredibly knowledgeable in many fields. His advice is always very considered and balanced, and he is adept at putting clients at ease and is always very approachable." The Legal 500, 2022

"Ian's knowledge of this area of law is endless; there is nothing he does not know. In cross-examinations he leaves no stone unturned and always ensures the best job is done for the client." Chambers & Partners UK 2021

"Ian is a robust and punchy advocate, very well liked and respected, who always gives good, practical advice. Extremely hard working and highly intelligent barrister who works on complex issues quickly and efficiently." The Legal 500 2021

"He is knowledgeable, takes a no-nonsense approach and he is very good at problem solving. He very quickly gets straight to the heart of the issues." *"An incredibly passionate advocate."* Chambers & Partners UK 2020

"Incredibly bright, articulate, approachable, and responsive." The Legal 500 2020

"He's a real rising star in the Court of Protection – he's always really responsive, is very skilled in cross-examination and he's easy to work with." *"Ian's drafting and advocacy is always so concise."* Chambers & Partners UK 2019

Memberships

- Court of Protection Bar Association (CPBA)
- The Coroners' Society for England and Wales
- Amicus ALJ

Qualifications

Education

- Jurisprudence, BA Hons (Oxon), Lincoln College, Oxford University
- BVC, College of Law

Scholarships and prizes

- Hardwicke Entrance Scholarship, Lincoln's Inn
- Tancred Student, Lincoln's Inn
- Shelford Scholarship, Lincoln's Inn.

Additional information

Appointments

- HM Assistant Coroner for Kent
- Chair and Member of the Football Association's Safeguarding Review Panel

- Legally Qualified Chair and Hearing Body Panel Member for British Equestrian.

Languages

- French (conversational)
- Italian (basic)

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