



Eleanor Leydon

Year of call: 2020

Email: eleanor.leydon@39essex.com

Phone: +44 (0)20 7832 1111

Eleanor's practice is focused on public, environmental and planning law. In Summer 2022 she was seconded to the High Court (QBD) (Admin Court) as a Judicial Assistant to Mr Justice Chamberlain.

Eleanor has a busy court practice and has appeared in the High Court (QBD (Admin) and Chancery Divisions); in the Court of Protection; in a wide range of SEND tribunals; in a school admissions appeal; in the magistrates court on a planning enforcement matter; and in a range of county court matters. Eleanor also undertakes the full range of pleadings and advisory work.

Eleanor is a member of ALBA, CPBA, PEBA and UKELA. Outside of practice, she is the legal editor/~~the~~ *Freezing in LA!* - an independent, interdisciplinary climate change magazine.

Eleanor is committed to widening access to the Bar and is a Bridging the Bar mentor. Eleanor accepts instructions on a pro bono basis, and has completed Advocate's 25 for 25 challenge in each year of practice.

Areas of expertise

Administrative and Public

Environment

Planning

Court of Protection

Inquiries

Administrative and Public

Eleanor is developing a broad public law practice. She has particular experience in education law, equalities and human rights law, Court of Protection work, and the intersections with environment and planning law. She is also interested in community care, parole board and prisons law and procurement law.

Eleanor is frequently instructed in a wide range of SEND tribunals, acting for claimants, schools and local authorities. She has experience in disability discrimination appeals and in all variety of EHCP appeals, including cease to maintain and EOTAS appeals. She has also advised claimants and local authorities on related judicial review proceedings. She has advised parents on a range of health, education and social care issues, including the lawfulness of local government processes for assessing the needs of disabled children. Recent highlights include:

- Securing a Local Authority concession that their conduct of an EHCP appeal had been unreasonable

and that a costs award was appropriate

- Successfully appealing a First-Tier Tribunal judgment which had upheld the permanent exclusion of a seven-year-old boy with autism, securing first a decision that the Tribunal had erred in law, and then a fresh decision (from the original panel) which concluded that the exclusion was disproportionate.
- Led by Steve Broach KC, advising on the discriminatory effect of a national sports law rule, including whether the criterion applied was inherently discriminatory: the advice provided led to the rule being altered.

Eleanor frequently appears with judicial and statutory reviews in practice, including two challenges to Low Traffic Neighbourhoods, a challenge to the disclosure of certain information in an Enhanced Criminal Records Certificate, and a challenge to the exercise of the Local Government Ombudsman's jurisdiction in the context of SEND Tribunal appeals. Eleanor also assisted a number of High Court judges with live judicial reviews as a Judicial Assistant.

Eleanor has appeared in the Court of Protection, in both the Health and Welfare and Property and Affairs pathways, acting for protected parties, local authorities, ICBs and the OPG. Eleanor has recently worked on a complex domiciliary care case.

Eleanor is currently instructed on the Infected Blood Inquiry, led by Charlie Cory-Wright KC.

Cases of note:

- ***R (Milburn) v The Local Government and Social Care Ombudsman [2022] EWHC 1777 (Admin)*** - As junior counsel, assisted with drafting grounds of review for a young autistic man who successfully argued that the LGSCO had a broader jurisdiction than it had understood to investigate complaints about local authorities arising in the context of SEND Tribunal appeals. Was unable to attend the hearing as it fell within a secondment to the High Court as a Judicial Assistant.
- ***SM & SDJ v London Borough of Hackney [2021] EWHC 3294 (Admin)*** - Appeared in the High Court as junior counsel in a statutory review of Experimental Traffic Orders on grounds including the public sector equality duty (PSED), consultation, and Article 8 and 14 European Convention on Human Rights (ECHR).

Memberships

- Administrative Law Bar Association (ALBA)
- Court of Protection Bar Association (CPBA)
- Planning and Environment Bar Association (PEBA)
- UK Environmental Law Association (UKELA)

Qualifications

Education

- 2020, City University, BPTC – Very Competent
- 2019, UCL, LLM in Public Law - Distinction
- 2018, City University, Graduate Diploma in Law – Distinction
- 2016, University of Cambridge, Emmanuel College, English BA (Hons) – Double First Class

Scholarships and Prizes

- 2019, Lincoln's Inn Denning Scholarship (BPTC)

- 2017, Lincoln's Inn Bowen Scholarship (GDL)
- 2016, Bokhari Prize (a College Prize for the Highest First in the English Tripos)
- 2015, Elisabeth and Derek Brewer Prize (a College Prize for a First in Part I of the English Tripos)

Additional information

Pro Bono and Voluntary Work

Eleanor previously volunteered at Lambeth Law Centre, holding one-on-one outreach appointments, and on the Free Representation Unit's social security stream, successfully appearing in tribunal. Eleanor has also worked pro bono with City University and No5 Chambers, supporting immigrants with legal aid applications. All her clients' applications were successful: one subsequently secured funding for her immigration appeal and was ultimately granted leave to remain in the UK alongside her daughter.

Eleanor regularly blogged on human rights law developments for the UK Human Rights Blog and has volunteered for the social rights charity Just Fair.

While an intern at Protimos, Eleanor researched the international legal framework which protects indigenous rights, in particular the principle of free, prior and informed consent (FPIC). Documents which she produced on FPIC were circulated among members of the African judiciary at Protimos' Judicial Action Group colloquium in Zimbabwe.

As an undergraduate Eleanor was chair of Cambridge PEN, a branch of the human rights organisation English PEN, and delivered consent workshops to 130 undergraduates in the first year they were implemented across the university.

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