

Year called 2006

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“He is just super clever – he is quick and very attentive to detail. He is responsive and you can trust his judgement completely.”

Chambers & Partners

“He is very precise and academic. On his feet he is very measured; he quietly takes everything in and challenges things in a non-confrontational way.”

Chambers & Partners

Jack Anderson specialises in all areas of public law including education, immigration, healthcare, social care and local government law. In 2017 he was promoted to the Attorney General’s “B” Panel of counsel and has been granted developed vetting security clearance.

Jack’s clients cover the full gambit of public law, from central and local government to vulnerable adults. Given this range he has appeared before many civil courts and tribunals: the First Tier Tribunal (Asylum & Immigration Tribunal, Care Standards Tribunal, Mental Health Review Tribunal, Social Security Tribunal, SENDIST), SIAC, Upper Tribunal (Administrative Appeals and Immigration and Asylum Chambers), Planning Inspectorate, Licensing Sub-committees, County Court, Magistrates Court, Crown Court, Court of Protection, High Court (QBD, Administrative Court, Family and Chancery Divisions) and Court of Appeal.

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## PRACTICE AREAS

- Administrative & Public

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## SECTORS

- Local Government

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## PRACTICE AREAS

### ADMINISTRATIVE & PUBLIC

#### **Court of Protection, Serious Medical Treatment and Mental Health**

Jack is experienced in relation to both property and financial affairs and health and welfare applications in the Court of Protection. He appears regularly for local authorities, health bodies, and individuals in relation to a variety of issues including enduring and lasting powers of attorney, deputyship, best interests decision-making, including serious medical treatment, and contempt proceedings arising from a failure to comply with the court's orders. He is instructed in safeguarding proceedings including matters involving complex disputes of fact as well as best interests considerations. Reported cases include *Hospital Trust v V* [2017] EWCOP 20; [2018] C.O.P.L.R. 56 (in which he acted for the successful health authority in a leading case on non-therapeutic contraception) and *Secretary of State for the Home Department v Skripal* [2018] EWCOP 6 (led by Vikram Sachdeva QC). He has experience of cases with a cross-border element and of seeking urgent relief.

Jack has also appeared in complex appeals in the Mental Health Review Tribunal, as well as on appeal. Clients have included individuals, statutory bodies and the Department of Health. Reported cases include *AMA v Greater Manchester West Mental Health NHS Foundation Trust and others* [2015] UKUT 36 (AAC); *YA v Central and North West London NHS Trust* [2015] UKUT 37 (AAC); [2015] M.H.L.R. 144; *DL-H v West London Mental Health Trust and Secretary of State for Justice* [2017] UKUT 387

#### **Education Law**

"Really impressive in the way he conducts himself. He's very sharp and gets the legal points." Chambers & Partners 2015

Jack advises and acts for parents, schools and local authorities in relation to a wide range of issues that arise in the context of education and has also been instructed by Ofsted and the Department for Education. Jack appears before the First Tier Tribunal (SENDIST) in relation to both statements of special educational needs and claims of disability discrimination, and in the Upper Tribunal. He has also clerked for Independent School Admission Appeal Panels and acted for both parents and schools in relation to exclusion appeals including appeals that raise issues of disability discrimination. He has advised on issues of school organisation and school transport including challenges to school transport policy. He also acts in the Administrative Court in education matters including exclusions, school transport, provision section 19 of the Education Act 1996, challenges to Ofsted inspections and disciplinary appeals. Reported cases include *M v Harrow LBC* [2010] UKUT 395 (AAC); *R (on the application of a local authority) v The Independent Appeal Panel of the local authority* [2014] EWHC 3151 (Admin); *Devon CC v OH* [2017] UKUT 292 (AAC); [2016] E.L.R. 377; *KE v Lancashire CC* [2017] UKUT 468 (AAC); [2018] E.L.R. 196. He was recently led by Rory Dunlop on behalf of the Department for Education in resisting an Article 14, ECHR challenge to the Childcare (Early Years Provision Free of Charge)(Extended Entitlement) Regulations 2016: *R (T) v SSE* [2018] EWHC 2582.

He has delivered training and seminars on education law including school admissions and exclusions, special educational needs and the law on home education. He contributed to the third edition of *McManus, Education and the Courts* (Jordans, 2012) and, with Ben Tankel, is the author of *Atkins Court Forms on Education*. In a private capacity, he has been involved in establishing a free school and acted as a school governor, in which capacity he was responsible for considering revisions to school policies, and chairing disciplinary and grievance proceedings amongst other things.

### **Immigration Law**

Jack has acted for both individuals and central government in relation to immigration matters, appeals and claims for judicial review, as well as claims for false imprisonment arising in the context of immigration detention. His immigration work has often involved complex questions of general public law and EU law.

Reported cases include *R (on the application of G (Afghanistan) v SSHD* [2015] EWHC 3185 (Admin) (false imprisonment; age assessments); *R (on the application of Abdulkadir) v SSHD* [2016] EWHC 1504 (Admin) (returns to Austria; requirements of the Dublin III Regulation, led by Alan Payne); *R (on the application of JM (Zimbabwe) v SSHD* [2016] EWHC 1773 (Admin); [2017] 1 W.L.R. 268 (false imprisonment; s 35 Asylum and Immigration (Treatment of Claimants, etc Act 2004); *R (Lauzikas) v SSHD* [2016] EWHC 3215 (Admin); [2017] 1 W.L.R. 1683 (first instance; lawfulness of imposition of a work restriction); *R (on the application of A) v SSHD* [2017] EWHC 1233 (Admin) (birth certificates as proof of paternity in connection with citizenship); *P v Home Office* [2017] EWHC 663 (QB); [2017] 1 W.L.R. 3189 (abuse of process; limitation); *Liban v SSHD* [2017] EWHC 2551 (Admin) (lawfulness of certification); *R (on the application of Lauzikas) v SSHD* [2018] EWHC 1045 (Admin); [2018] 1 W.L.R. 5299; [2018] 4 All E.R. 141; [2018] 5 WLUK 91; [2018] 3 C.M.L.R. 31; [2018] A.C.D. 64 (false imprisonment; Article 27 of the Citizens Directive; effect of unlawful immigration decision on detention); *R (Basir) v SSHD* [2018] EWCA Civ 2612; [2018] 11 WLUK 371

### **Regulation**

Jack has advised and acted for both regulated entities and regulators in the fields of education, health and social care and in respect of both appeals and claims for judicial review. He is experienced in advising at short notice and seeking urgent interim relief. He understands the importance of seeking to achieve a practical resolution in such cases and that this may not always necessitate litigation. His work in this area has included work in relation to teacher misconduct, student misconduct, Ofsted inspections and inspections by the CQC of both social care and health settings. Reported cases include *R (on the application of Babylon Healthcare Ltd) v Care Quality Commission* (led by Fenella Morris Q.C.) [2017] EWHC 3436 (Admin); 2017 WL 06886295. He is a contributor to *Disciplinary and Regulatory Proceedings* (Lexis Nexis, 8<sup>th</sup> and 9<sup>th</sup> Editions (9<sup>th</sup> Edition, 2017)).

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## SECTORS

### LOCAL GOVERNMENT

“He’s very sensible and a good advocate who knows a lot about local government work.” Chambers & Partners 2019

Jack’s experience across the broad field of local government is recognised in Chambers and Partners (2017 and 2018). Aside from his work in the fields of education and Court of Protection, he regularly advises both claimants and defendants in the context of judicial review of community care decisions. He also acts in relation to housing,

including both appeals and judicial review. Jack has also advised on questions of election law including advising returning officers and advising in relation to election petitions. Other miscellaneous matters include misconduct proceedings in relation to elected officials, the procedural fairness of committee decision making, the disposal of local authority land (*R (on the application of London Jewish Girls High School) v Barnet* [2013] EWHC 523; [2013] P.T.S.R. 1357; [2013] 2 WLUK 516; [2013] B.L.G.R. 387. He appears before licensing sub-committees and in the Magistrates Court in licensing appeals including licensing reviews and applications. He is a contributor to the Encyclopedia of Local Government Bulletin and an author of the second edition of Anti-Social Behaviour Law (Jordans, 2011).

### **Central Government**

Jack is on the Attorney General's B Panel of counsel. He has acted for central government departments including the Home Office, Department of Health and Social Care, Department for Education, and the Ministry of Justice. He has developed vetting security clearance.

### **Health**

Jack has a wide range of experience in the health care sector. Clients include CCGs, NHS Trusts, individuals, health care providers and the Department of Health. His Court of Protection practice includes cases concerned with healthcare and serious medical treatment (e.g. Skripal; Miss V) as well as personal welfare decisions in the context of continuing healthcare funding. His experience in connection with the MHA 1983 includes advice and representation in the MHRT and Upper Tribunal. His regulatory practice includes challenges to CQC decision making on behalf of patients and providers. He is also experienced in relation to disputes over eligibility for continuing healthcare funding and ordinary residence. He has also acted in connection with other public law challenges in the healthcare context including challenges in relation to consultation and closure of facilities and the imposition of charges for healthcare.

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## CASES

**M v Harrow LBC** [2010] UKUT 395 (AAC)

**R (on the application of London Jewish Girls High School) v Barnet** [2013] EWHC 523; [2013] P.T.S.R. 1357; [2013] 2 WLUK 516; [2013] B.L.G.R. 387

**R (AB) v Croydon** [2013] EWHC 3113 (Admin); [2013] 7 WLUK 1041

**R (on the application of a local authority) v The Independent Appeal Panel of the local authority** [2014] EWHC 3151 (Admin)

**Denton v TH White** [2014] EWCA Civ 906; [2014] 1 W.L.R. 3926; [2015] 1 All E.R. 880; [2014] 7 WLUK 202; [2014] C.P. Rep. 40; [2014] B.L.R. 547; 154 Con. L.R. 1; [2014] 4 Costs L.R. 752; [2014] C.I.L.L. 3568; (2014) 164(7614) N.L.J. 17

**AMA v Greater Manchester West Mental Health NHS Foundation Trust and others** [2015] UKUT 36 (AAC)

**R (on the application of G (Afghanistan) v SSHD** [2015] EWHC 3185 (Admin)

**R (Purnell) v Essex Magistrates** [2015] EWHC 333 (Admin); [2015] 2 WLUK 94; [2015] 2 Cr. App. R. (S.) 4

**YA v Central and North West London NHS Trust** [2015] UKUT 37 (AAC); [2015] M.H.L.R. 144

**R (on the application of Abdulkadir) v SSHD** [2016] EWHC 1504 (Admin)

**R (on the application of JM (Zimbabwe) v SSHD** [2016] EWHC 1773 (Admin)

**R (Lauzikas) v SSHD** [2016] EWHC 3215 (Admin); [2017] 1 W.L.R. 1683 (Court of Appeal [2018] 1 W.L.R. 4623; [2018] 6 WLUK 443)

**Devon CC v OH** [2017] UKUT 292 (AAC); [2016] E.L.R. 377

**R (on the application of A) v SSHD** [2017] EWHC 1233 (Admin)

**P v Home Office** [2017] EWHC 663 (QB); [2017] 1 W.L.R. 3189

**Liban v SSHD** [2017] EWHC 2551 (Admin)

**DL-H v West London Mental Health Trust and Secretary of State for Justice** [2017] UKUT 387

**Hospital Trust v V** [2017] EWCOP 20; [2017] 10 WLUK 502; [2018] C.O.P.L.R. 56

**KE v Lancashire CC** [2017] UKUT 468 (AAC); [2018] E.L.R. 196.

**R (on the application of Babylon Healthcare Ltd) v Care Quality Commission** [2017] EWHC 3436 (Admin); 2017 WL 06886295

**R (on the application of Lauzikas) v SSHD** [2018] EWHC 1045 (Admin); [2018] 1 W.L.R. 5299; [2018] 4 All E.R. 141; [2018] 5 WLUK 91; [2018] 3 C.M.L.R. 31; [2018] A.C.D. 64

**R (Lawal) v North Middlesex Hospital** [2018] EWHC 2216 (Admin); [2018] 4 WLUK 124

**Secretary of State for the Home Department v Skripal** [2018] EWCOP 6

**R (on the application of T) v Secretary of State for Education** [2018] EWHC 2582 (Admin); [2018] 10 WLUK 134

**R (Basir) v SSHD** [2018] EWCA Civ 2612; [2018] 11 WLUK 371

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## RECOMMENDATIONS

Jack is recommended in Chambers & Partners and Legal 500 in the area of Education law and in Chambers & Partners in Local Government.

### Quotes

“His submissions are always very powerful and well thought through.” “Very helpful, responsive and has a pleasant manner with clients.” “Extremely bright and knowledgeable.” Chambers & Partners 2021

“He’s good at handling complex legal points and is excellent under pressure.” “He is very sound when he’s doing written submissions and always writes very clearly and concisely. He has a very pleasant manner with clients.” Chambers & Partners 2021

“He’s very sensible and a good advocate who knows a lot about local government work.” Chambers & Partners

2019

"His collaborative approach is very helpful and he is a skilled cross-examiner." Chambers & Partners 2019

"A very highly rated barrister." Legal 500 2018

"He is just super clever – he is quick and very attentive to detail. He is responsive and you can trust his judgement completely." Chambers & Partners 2017

"He is very precise and academic. On his feet he is very measured; he quietly takes everything in and challenges things in a non-confrontational way." Chambers & Partners 2017

"He gets good results" Legal 500 2015

"Really impressive in the way he conducts himself. He's very sharp and gets the legal points." Chambers & Partners 2015

"Reliable and very bright." Chambers & Partners 2014

"He knows education law inside out." Chambers & Partners 2014

"He has intellectual acumen and confidence." Chambers & Partners 2014

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## MEMBERSHIPS

- South Eastern Circuit
- Administrative Law Bar Association

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## QUALIFICATIONS

- BVC, Very Competent, Inns of Court School of Law, (2006)
- BCL, Brasenose College Oxford, (2005)
- BA (Law), Emmanuel College Cambridge, Double First (2004)

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## ADDITIONAL INFORMATION

### Publications

*Atkins Court Forms, Education Law (with Ben Tankel)*

*McManus, Education and the Courts (3rd edition, 2012) (contributor)*

*Treverton-Jones QC, Foster QC and Hanif, Disciplinary and Regulatory Proceedings (9<sup>th</sup> Edition, 2017) (Contributor)*

*Anti-Social Behaviour Law (Anderson, Greatorex, Falkowski and Tankel, Jordans, 2011) (co-author)*

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