

# BRICK COURT CHAMBERS

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## Public Law

"The excellent reputation of Brick Court Chambers is founded in part on its deep expertise in public law matters in the context of EU and competition law"

- Chambers & Partners 2015

"Brick Court Chambers maintains its reputation as a set accomplished in providing representation to claimants and defendants across a wide span of issues in the field of human rights."

- Chambers & Partners 2015

"Its members and the clerks are brilliant - when my favourite counsel aren't available, the clerks recommend someone different and then I have a new favourite."

- Chambers & Partners 2015

"Brick Court Chambers continues to command considerable respect for its administrative and public law practice with an emphasis on commercial and regulatory matters."

- Chambers & Partners 2014

Our barristers act over the whole range of public law practice areas in courts and tribunals in the United Kingdom and Ireland, the European courts in Luxembourg and the European Court of Human Rights in Strasbourg. We also appear in a range of other common law jurisdictions in Asia, Africa, the Caribbean and the UK's overseas territories. We are experts in the law governing the relationship between persons (natural and legal) and the state. For claimants, we are equally at home representing commercial clients challenging complex regulatory or governmental decisions as acting for individuals or NGOs in ground-breaking human rights and constitutional challenges. We also act for regulator and other public body defendants and many of our QCs and juniors appear regularly in high-profile litigation for the Crown. In the commercial sphere, our work spans subject areas as diverse as aviation, banking, broadcasting & media, energy, financial services, healthcare, pensions, pharmaceuticals, tax, telecoms and transport. More generally, our members have acted in some of the leading cases in education, environmental law, equality & discrimination, local authority powers, national security law and sanctions.

### Expertise within Public Law includes:

- Constitutional Law
- Data protection and freedom of information
- Environmental Law
- Human Rights
- Immigration & Nationality
- Judicial Review
- Media & Broadcasting
- Medical & Pharmaceutical Regulation
- Public Inquiries
- Public International Law
- Public Procurement
- Regulatory & Disciplinary Law
- Transport Law

## NOTABLE CASES

### ANIMAL DEFENDERS INTERNATIONAL V UNITED KINGDOM

Animal Defenders International challenged the UK's blanket ban on political advertising on TV and radio as incompatible with the right to freedom of expression guaranteed by Article 10 ECHR. In a judgment which effectively overrules its own previous case law, the Grand

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Chamber of the European Court of Human Rights upheld the ban by a majority of 9-8 as a proportionate means of preventing the UK political process from becoming skewed towards the interests of those with the deepest pockets.

## **KADI V COUNCIL & COMMISSION**

Mr Kadi was included in the United Nations Security Council's terrorist asset freezing sanctions just after 9/11, without giving him any reasons. His challenges in Luxembourg to the European Union's implementation of those restrictive measures are the leading cases on the relationship between international law and European law, on due process and rights of defence in the European Union, and on judicial review of targeted economic sanctions.

## **CHAGOS ISLANDERS V UNITED KINGDOM**

The Chagossians were evicted from the British Indian Ocean Territories in the early 1970s, to make way for a naval base on Diego Garcia. The cases they have brought are of constitutional importance. *Bancoult I* established that the power to govern for "peace, order and good governance" did not empower the UK to expel the islanders. *Bancoult 2* is the leading judgment on the reviewability of the royal prerogative, and their case in Strasbourg on the extra-territoriality of the ECHR. The ongoing judicial review of the fishing ban will decide on the UK's EU obligations to overseas territories, and the admissibility of Wikileaks cables.

## **UBAMAKA EDWARD WILSON V SECRETARY OF STATE FOR SECURITY AND DIRECTOR OF IMMIGRATION**

Ubamaka is a landmark case in the Court of Final Appeal in Hong Kong. The Appellant successfully argued that Hong Kong has an obligation to offer protection to those facing the threat of cruel, inhuman or degrading treatment or punishment ('CIHDT'). The highly significant judgment states that those who fear either torture or CIHDT should in fact be afforded protection.

## **OLYMPIC STADIUM JUDICIAL REVIEW**

The high-profile judicial review challenge involving Tottenham Hotspurs' right to use the Olympic Stadium saw football teams competing in the courts. The result was a goalless draw with West Ham having the rug pulled from under them when Newham did not proceed to fund. This is one of a number of cases which show the growing importance of, and high stakes in, cases involving procurement.

## ***Public Law Barristers***

### **QCs**

Richard Gordon QC

Lord Anderson KBE QC

James Flynn QC

Neil Calver QC

Mark Hoskins QC

Aidan Robertson QC

Jemima Stratford QC

Paul Bowen QC

Marie Demetriou QC

Andrew Henshaw QC

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## BARRISTERS

Jasbir Dhillon QC

Martin Chamberlain QC

Kelyn Bacon QC

Sarah Lee QC

Maya Lester QC

Thomas Plewman QC

Jeremy Gauntlett QC

Sarah Ford QC

## JUNIORS

Paul Wright

Margaret Gray

Victoria Wakefield

David Scannell

Gerard Rothschild

Jonathan Dawid

Sarah Abram

Sarah Love

Richard Blakeley

Richard Eschwege

Oliver Jones

Daniel Piccinin

Max Schaefer

Michael Bolding

Tim Johnston

Malcolm Birdling

David Bailey

Andrew McIntyre

Emily MacKenzie

Joanne Box

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## BARRISTERS

Zahra Al-Rikabi

Hugo Leith

Jennifer MacLeod

Charlotte Thomas

Tom Pascoe

Ben Woolgar

Sophie Shaw

David Heaton

Emma Mockford

Aaron Khan

## DOOR TENANTS

Sir Richard Aikens

Professor Robert McCorquodale