

Jeremy Hyam QC

Call: 1995 QC: 2016



Jeremy Hyam QC is a specialist in Clinical Negligence, Human Rights, Administrative and Public Law, Inquests and Public Inquiries, Professional Discipline and Environmental law. He has particular experience in all aspects of health law, including Mental Health, the regulation and discipline of doctors; contractual disputes, CQC regulation, NHS Procurement, the Health and Social Care Act, the Care Standards Tribunal, and cases concerning eligibility for and access to treatment including cases concerning community care.

Jeremy is ranked as a leading silk in Clinical Negligence, Civil Liberties & Human Rights, Environmental Law and Professional Discipline in Chambers and Partners and as a leading silk in Civil Liberties & Human Rights and Environmental Law in the Legal 500.

'Superb judgement and an impressive work ethic.'

Legal 500 2018

"A confident negotiator." "Thorough, succinct and positive to deal with." "He is extremely good."

Chambers & Partners 2019

"Incredibly bright. He always sees the argument when it may not be immediately apparent." "A reflective, imaginative and creative barrister, with a very attractive advocacy style. He's always thinking of new ways in which the law can be deployed."

Chambers & Partners 2018

Clinical Negligence

"Good on strategy and an excellent negotiator." (Chambers & Partners 2017)

"People fight over him to get him to be their junior. There's something about his manner that makes you feel like you shouldn't disagree with him." (Chambers & Partners 2016)

"Intellectually he's very creative, and understands a wide area of law. He's very careful and exceptionally responsive – a 24/7 person who's easy to talk to." (Chambers & Partners 2015)

"Very good in court. He's dogged and determined." (Chambers & Partners 2014)

Jeremy Hyam is a favourite of instructing solicitors as he *"is very methodical, and works well to a tight deadline."* (Chambers & Partners 2013)

"A valued option for claims that involve knotty legal problems." (Chambers & Partners 2011)

Solicitors are appreciative of the work Hyam puts into their cases, with one stating: *"I find Jeremy to be an invaluable ally on my cases; he is extremely bright and an excellent person to bat ideas off."* (Chambers & Partners 2010)

Selected Cases

- **ARB v IVF Hammersmith [2018] EWCA Civ 2803**
- **Holmes v West London Mental Health Trust (2018)**
- **Tucker v Griffiths [2016] EWHC 1214**
- **Williams v Bermuda Hospitals Board [2016] UKPC 4; [2016] 1 WLR (D) 50**
- **Thefaut v Johnston [2017] EWHC 497**
- **Hogg v Secretary of State for Health [2015] EWHC 267**
- **Ms B v An NHS Hospital Trust [2002] EWHC 429 (Fam):** Right to die with dignity.
- **H(A Healthcare Worker) v Associated Newspapers & Ors [2002] EWCA Civ 195:** HIV infected healthcare worker seeking to restrict disclosure.

Inquests

Jeremy has done a large number of inquests both for families, prisons, health trusts and in the mental health context, he was also Counsel for a core participant in the Mid-Staffordshire Inquiry.

Selected Cases

- **Natasha Ednan-Laperouse (2018):** a girl who died after eating a Pret sandwich from Heathrow Airport

- **Nicholas Bevan-Jones (2017):** 27 year old autistic man with learning difficulties who died after gross failures of observation at Southmead Hospital in Bristol.
- **Jeremiah Duggan (2015):** Concerning a British Student who died in Germany after attending a conference organised by a far right group.
- **Alice Mason Inquest:** 2 year old having previously undergone treatment for a brain tumour, died after doctors failed to spot that she had fluid on the brain.
- **R v Coroner for the Northern District of London [2010] EWHC 1263 (Admin):** Application under s.13 of Coroners Act 1998 to reopen inquest.

Public Law

"Has gravitas, sounds compelling and there is something about his manner which makes you feel like you shouldn't disagree with him." "He is in a good position to handle heavy cases which would otherwise go to a QC." (Chambers & Partners 2016)

"He is very adept at quickly identifying the client's real concerns, and explaining their impact in practice and in context." (Chambers & Partners 2015)

"He is able to spot the underlying merits of points and articulate them clearly." "He is excellent on paper." (Chambers & Partners 2014)

Jeremy Hyam's approach to public law is creative and "intellectually rigorous." He has strong client skills and "is interested in people." One solicitor said of him: "Although public law litigation focuses on legal points, I think his private law side allows him to see the benefits that come to individuals." (Chambers & Partners 2013)

Jeremy Hyam has 'a formidable intellect' and his 'attention to detail is immaculate', particularly when it comes to the healthcare arena. (Legal 500 2012)

He is praised as a public lawyer with a "fertile imagination and strong legal brain" and stands out for the sheer range of work he does. (Chambers & Partners 2011)

Jeremy Hyam is a "personable and adventurous advocate" who is particularly active in health, education and community care. (Chambers & Partners 2010)

Selected Cases

- **R(Roadpeace) v Secretary of State for Transport [2017] EWHC 2725**
- **Colaingrove v HMRC [2017] EWCA Civ 332**
- **R(Keep Wythenshawe Special) v Greater Manchester CCGs [2016] EWHC 17 (Admin)**
- **Mid Staffordshire Public Inquiry**
- **HMRC v Colaingrove [2015] UKUT 80**
- **R(BDA) v General Dental Council [2014] EWHC 4311**
- **R (Whitston, Asbestos Victims Support Groups Forum v Secretary of State for Justice [2014] EWHC 3044 (Admin) [2015] ACD 5 : [2015] 1 Costs LR 35**

- **R (JF) v NHS Sheffield Clinical Commissioning Group [2014] EWHC 1345 (Admin)**
- **Gifford v The Governor of HMP Bure & Ors [2014] EWHC 911 (Admin)**
- **R (Save Lewisham Hospital Campaign) v Trust Special Administrator and Anor [2013] EWCA Civ 1409**
- **Colaingrove Ltd v HMRC (Verandas) [2013] UKFTT 343**
- **R (Save our Surgery) v Joint Committee of Primary Care Trusts [2013] EWHC 439**
- **Corkteck Ltd v HMRC [2009] EWHC 1573**
- **NF(Ghana) v Secretary of State for the Home Department [2008] EWCA Civ 906**
- **R (Compton) v Wiltshire Primary Care Trust [2008] EWCA Civ 906**
- **K v Central & North West London Mental Health NHS Trust & Anor [2008] EWHC 1217**
- **HMRC v EB Central Services [2008] EWCA Civ 486**
- **R (Rahman) v Haringey Teaching Primary Care Trust [2007] EWHC 584**
- **HM Revenue & Customs v Gracechurch Management Services [2007] EWHC 755**
- **HM Revenue & Customs v EB Central Services [2007] EWHC 201**
- **R (Watts) v Bedford Primary Care Trust [2006] ECJ (Grand Chamber) Case C-372/04**
- **R (Wyatt) v Portsmouth Hospitals NHS Trust [2006] EWCA Civ 529**
- **R (JB) v Haddock, Rigby & Wood [2006] HRLR 40; [2006] Lloyds Rep Med 433**
- **R (B) v SS (1) SOAD (2) SoSH (3) [2006] 1 WLR 810; [2006] HRLR 14**
- **R (Malik) v Waltham Forest Primary Care Trust [2006] 3 All ER 71**

Professional Discipline & Regulation

"Incredibly bright. He always sees the argument when it may not be immediately apparent." "A reflective, imaginative and creative barrister, with a very attractive advocacy style. He's always thinking of new ways in which the law can be deployed." (Chambers & Partners 2017)

"He is a very, very clever senior junior and was a brilliant member of our legal team as he was approachable, intelligent and pragmatic." "He's a delightful opponent who is constantly seeking to push the envelope and find new and innovative arguments. He's tenacious, enterprising and inventive in terms of his legal analysis, and his written arguments are also presented in an attractive and beguiling manner." (Chambers & Partners 2016)

"He is a first class advocate with an intellectual approach." (Chambers & Partners 2015)

Selected Cases

- **Andrew Gregg v North West Anglia NHS Foundation [2018] EWHC 390 (QB)**
- **DP v General Dental Council [2017] 4 WLR 14,**
- **NH v General Medical Council [2016] EWHC 2348**
- **Stevens v University of Birmingham [2015] EWHC 2300 (QB) [2015] IRLR 899; [2015] Med LR 489**
- **Bawa-Garba v General Medical Council [2015] EWHC 1277**
- **Fynes v St George's Hospital NHS Trust [2014] EWHC 756 (QB)**
- **Houshian v General Medical Council [2012] EWHC 3458 (QB)**
- **Harry v General Medical Council [2012] EWHC 2762**
- **R (Patel) v General Medical Council [2012] EWHC 2012 EWHC 2120**

Environmental Law

"Highly intelligent. He is an excellent advocate and superb on his feet." "He's very good and very cerebral. It's like being against an academic." (Chambers & Partners 2017)

"Can be very forceful when necessary. When that happens you think, Crikey, I'm glad I'm not against him." (Chambers & Partners 2016)

"He is thoughtful, studious and forceful on his feet." (Chambers & Partners 2015)

"He is very easy to get on with and is in tune with our clients' needs. He has got a non-aggressive but assertive and clear approach." (Chambers & Partners 2014)

Jeremy Hyam is "a combative lawyer with great client management skills." He recently appeared in Alyson Austin and Others, a Court of Appeal case concerning Protective Costs Orders and Group Litigation Orders. (Chambers & Partners 2013)

Jeremy Hyam has an 'excellent analytical mind' and 'considers the commercial element of an issue as well as the legal'. (Legal 500 2012)

Receives particular praise for his "very practical and commercially focused approach to matters." (Chambers & Partners 2012)

"Always gives excellent, practical advice and understands what his clients need." (Chambers & Partners 2011)

The "unflappable and extremely genial" Jeremy Hyam has been increasingly visible in the environmental courts and has a robust reputation for nuisance and waste cases. Recent highlights include his work with South West Water in relation to the collapse of a sewer. (Chambers & Partners 2010)

Selected Cases

- **Thornhill v Cambridge City Council & Anor [2015] EWCA Civ 340**
- **SI Green UK v Swansea Friends of the Earth & Information Commissioner [2013] UKUT 473**
- **Merthyr Tydfil Car Auction v Thomas [2013] EWCA Civ 815**
- **R (Baker) v Bath & North East Somerset County Council [2013] EWHC 946**
- **Thornhill & Ors v Nationwide Metal Recycling Limited [2011] EWCA Civ 919**
- **Austin v Miller Argent South Wales [2011] EWCA Civ 928**
- **R (Milner) v South Central Strategic Health Authority [2011] EWHC 218**
- **R (Garner) v Elmbridge Borough Council & Ors [2010] EWCA Civ 1006**
- **Steenberg & Anor v Enterprise Inns Plc & Anor [2010] EWCA Civ 201**
- **R (Birch) v Barnsley Metropolitan Borough Council [2010] EWHC 416**
- **R (Repic) v The Scottish Environment Protection Agency and Anor [2009] EWHC 2015**

- **Morgan v Hinton Organics (Wessex) Ltd [2009] EWCA Civ 107**
- **Watson & Ors v Croft Promo-sport Ltd [2009] EWCA Civ 15**

Human Rights

"Jeremy is a smooth operator in court." "He is clever, sees all the angles and is reasonable. He will tell you if an argument won't fly." (Chambers & Partners 2017)

"A highly praised advocate who comes recommended for his significant experience in all aspects of human rights cases. He places an emphasis on health law and is a recognised expert in mental health, the Health and Social Care Act and cases concerning the right to treatment for patients." (Chambers & Partners 2016)

"He is a good, reliable and effective advocate." (Chambers & Partners 2015)

"He is an excellent, thorough and enthusiastic advocate. He knows the interface between healthcare and human rights." (Chambers & Partners 2014)

Jeremy Hyam has a claimant-oriented practice that covers areas such as prisoners' rights and actions against the police. Instructing solicitors praise his "tremendous ability to think outside the box." (Chambers & Partners 2013)

Jeremy Hyam has particular expertise in health and social care, and its intersection with human rights law. He is also a favourite for Court of Protection work. (Chambers & Partners 2012)

Jeremy Hyam is "a quiet and persuasive authority, who carries a lot of intellectual weight." Clients highlight the speed at which he can turn things around and his direct, effective advocacy. (Chambers & Partners 2010)

Selected Cases

- **Winspear v City Hospitals Sunderland NHS Foundation Trust [2015] EWHC 3250 (QB) [2015] WLR (D) 468**
- **R (Rose) v Thanet Clinical Commissioning Group [2014] EWHC 1182**
- **R (Tracey) v Cambridge University Hospitals NHS Foundation Trust [2014] EWCA Civ 822**
- **R (L) v West London Mental Health NHS Trust [2014] EWCA Civ 47**
- **R (On the application of Wright & Others) (Appellants) v Secretary of State for Health and another (Respondents) [2009] UKHL 3**
- **R (Vu) v Secretary of State for the Home Department [2008] EWHC 1192 (Admin)**
- **R (Rayner) v Secretary of State for the Home Department [2007] EWHC 1028**

Appointments

- Recorder on the North Eastern Circuit
- Attorney General's A Panel of Counsel
- Attorney General's B Panel of Counsel

- Special Advocate (present)

Publications

- Supreme Court Yearbook (Public Law) with Philip Havers QC (2017)
- Supreme Court Yearbook (Public Law) with Philip Havers QC (2016)
- Clinical Negligence (APIL) Medical Treatment and Human Rights (2013) with Philip Havers QC
- “Human Rights & Mental Health” (Chapter in *Human Rights and the Common Law*, Hart Publishing 2000)