

Joshua Hitchens

Year of call Email
2018 joshua.hitchens@outertemple.com

Josh practises in all of Chambers' specialisms. He is a member of the Equality and Human Rights Commission Panel of Counsel and has acted in a number of high-profile public law matters. He was instructed by a national charity in their application to intervene in the UK Supreme Court case of *Miller v The Prime Minister* UKSC2019/0192.

He has appeared in several commercial appeals before the Privy Council and having worked in Private Equity before coming to the Bar has a commercial focus to his practice.

He is regularly instructed in claims for Judicial Review and Human Rights matters in the High Court. He has a strong international element to his practice having been instructed to appear before the Privy Council as led counsel in matters relating to chancery, commercial, media and public law.

In a Human Rights context, Josh is regularly instructed in matters relating to homelessness, social care and the use of police powers. He is currently instructed in a major claim against a UK Police force arising out of a failure to properly investigate allegations of rape.

Josh's practice also incorporates the law of mental incapacity. He regularly appears in the Court of Protection in both Personal Welfare and Property and Financial Affairs disputes. He has particular expertise in Forced Marriage and is currently writing a book on the subject due to be published in 2021.

In an Employment context, Josh is currently instructed in the Employment Appeals Tribunal and regularly appears in the Employment Tribunal, with a particular interests in equality and discrimination matters.

London

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Public Law

Josh has advised and acted in a number of high profile Judicial Review Claims. He is currently instructed in a Judicial Review Claim against the Secretary of State for Justice relating to the categorisation of a prisoner and a separate Human Rights Claim against a major police force. He was instructed in a national charity's proposed intervention in the Supreme Court prorogation case, *Miller v The Prime Minister*. He also has advised on and drafted a number of statutory appeals to the High Court.

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Court of Protection

Josh regularly appears in the Court of Protection in complex health and welfare cases. The majority of Josh's work involves a safeguarding aspect, in particular that P has been the victim of physical, sexual or financial abuse. Josh also acts in the cross over area between Court of Protection and other jurisdictions, and is currently instructed in a High Court Family Division matter relating to Forced Marriage.

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Employment & Discrimination

Josh appears in the Employment Tribunal for Employers, Employees and Trade Unions. He has advised on TUPE matters and appears in the Employment Tribunal in matters relating to discrimination, unfair dismissal, wages, redundancy and other claims. He has a particular interest in Discrimination claims.

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Commercial & Chancery

Josh has been instructed in the Privy Council on commercial and chancery matters. He has previously worked in Private Equity so has a strong commercial awareness and an understanding of the business needs of clients. He is currently instructed on an international commercial dispute before the Privy Council.

Recent cases:

- Maloo et al v Somar [2019] UKPC 2016/0071 – appeared as led junior counsel in a contract case before the Judicial Committee of the Privy Council
- Philomen Dean v Chanka Bhim [2019] UKPC 10 – appeared as led junior counsel in a chancery case before the Judicial Committee of the Privy Council.

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Regulatory, Professional Discipline & Business Crime

Josh accepts instructions to represent clients before disciplinary tribunals and their professional bodies. During his first six months of pupillage, Josh assisted with R (ORR) v TFL & Balfour Beatty, a regulatory prosecution leading to a significant fine following life changing injuries suffered by a railway worker. During this period, he also assisted with the defence of a major prosecution for misconduct in public office heard at the Central Criminal Court.

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