

## Jonathan Hough QC

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Silk: 2014

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*Very bright and methodical, with a great mastery of the detail. He is also able to think outside the box.*

- Chambers & Partners

### **Jonathan Hough QC has a civil, commercial and public law practice.**

Jonathan is ranked by the legal directories as a leading silk in five practice areas: insurance / reinsurance; professional liability; administrative / public law; inquests / inquiries; and consumer law. In all his fields of practice, he has appeared in many reported and important cases.

Shortlisted by Legal 500 for 'Public Law Silk of the Year' 2018.

Recent comments in the directories include the following:

*"He is a very strong and shrewd operator whose pleadings are excellent and judgement is very good." "He has an excellent manner with clients, he's very responsive and talks to people at their level." "His ability to take complex arguments and make something clear and forceful from them is impressive." (Chambers & Partners 2021, Insurance)*

*"Used for the most sensitive and high-profile work. Jonathan is simply outstanding; he is able to grasp huge amounts of detail, and keep a clear view of the key issues and strategy at the same time." (Legal 500 2021, Insurance and Reinsurance)*

*"He is a brain on a stick - fantastic on insurance coverage, very determined to please you and clients, and very user-friendly." "He's just fantastic, really responsive, really 'on it' and just brilliant all round. We always know we'll get very clear advice." (Chambers & Partners 2021, Professional Negligence)*

*"Jonathan's attention to detail is second to none. He can assimilate a huge amount of information in a short period. Jonathan's drafting is excellent, he always gets the important points and pitches it just right." (Legal 500 2021, Professional Negligence)*

*"Incredibly thorough and absolutely great at getting into the detail himself but also at presenting things to clients in a really straightforward and simple way. That sounds like what you expect from any lawyer, but when you encounter someone who is as good at it as he is it's really quite outstanding." (Chambers & Partners 2021, Administrative & Public Law)*

*"A master of the detail and the strategy." (Legal 500 2021, Administrative & Public Law)*

*"The perfect example of an advocate who has the ear of the court. When he speaks the chair listens because they know he says reasonable and sensible things." "He is astonishing – he is extraordinarily responsive, prompt, meticulously organised and his attention to detail is superb. Clients find him a joy to work with and the quality of his work is exemplary." "He is still the go-to for coroners across the land as he knows so much about the conduct of inquests." (Chambers & Partners 2021, Inquests & Public)*



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*Inquiries)*

*"A leading light for his knowledge and application of inquest law. He works very hard and is a very effective advocate." (Legal 500 2021, Inquests & Inquiries)*

*"He is top-notch, has impressive legal acumen and is a strong advocate." "His strengths are his depth of knowledge and his clarity of thought and explanation." (Chambers & Partners 2021, Consumer)*

*"His advice is always clear, concise and commercial. A good communicator. Always prompt with his advice." (Legal 500 2021, Consumer)*

*"He is incredibly user-friendly and has the brain the size of a planet." "His written work is absolutely superb" (Chambers 2020, Insurance)*

*"A terrific advocate who has a very good courtroom manner and is very robust and persuasive, which goes down well with judges." "He is approachable, very responsive and extremely bright; he provides sound written advice and was flawless at trial." (Chambers 2020, Professional Negligence)*

*"He's incredibly bright and the judges respect him enormously." "He's got an immense intellect but can explain things in a very straightforward way." (Chambers 2020, Administrative & Public Law)*

*"He has an amazing practice; he's a barrister of choice." "He cuts to the heart of a problem, providing detailed analysis and clear advice." (Chambers 2020, Consumer Law)*

*"The classic example of how it should be done." "He can make fantastic written and oral submissions and is incredibly quick on his feet." (Chambers 2020, Inquiries and Inquests)*

*"He stands out for his intellect and ability to grasp the issues very quickly." (Legal 500 2020, Insurance and Reinsurance)*

*"A charming, persuasive and polished advocate." (Legal 500 2020, Professional Negligence)*

*"Recommended for his intellectual prowess and excellent court skills." (Legal 500 2020 Consumer Law)*

*"His preparation is meticulous, his advocacy is incisive, his attention to detail is superb and his thought process is unchallengeable." (Legal 500 2020, Inquiries and Inquests)*

*"A charming and persuasive advocate who is extremely responsive, user-friendly and meticulous in his analysis and preparation of arguments." "Excellent with clients." (Chambers UK 2019, Insurance)*

*"Meticulous, great in conference and on his feet in court. Highly recommended." "Very quietly confident and assured, gets his point across very effectively without bluster." (Chambers UK 2019, Professional Negligence)*

*"Absolutely brilliant" (Chambers UK 2019, Administrative and Public Law)*

*"He's incredibly intelligent and knows the law inside and out. He takes a very structured approach and is able to think with absolute clarity." (Chambers UK 2019, Inquiries and Inquests)*

*"Incredibly intelligent..." (Chambers UK 2019, Consumer Law)*

*"Very bright, methodical with a great mastery of the detail." (Legal 500 2019, Professional Negligence)*

*"Simply brilliant in all respects and does everything with personality, wit and charm." (Legal 500 2019, Administrative and Public Law)*



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*“Simply brilliant in every aspect of his trade.”* (Legal 500 2019 Inquiries and Inquests)

*“Very concise and prompt.”* (Legal 500 2019, Consumer Law)

*“Instructing solicitors praise him for his ‘first-class brain’ and his ‘fantastic attention to detail’... ‘Clever and solutions-oriented, he has an ability to present arguments in a clear and concise way, both on paper and on his feet.’ ‘He is extremely thorough, really steeped in insurance law, extremely personable and someone who’s always looking to add value to the client.’”* (Chambers UK 2018, Insurance)

*“A ferociously clever go-to leader on defence and coverage cases.”* (Chambers UK 2018, Professional Negligence)

*“Deeply impressive... He is brilliant on the law but also has a strategic way of approaching problems. It is usually impossible to argue against his logic.”* (Chambers UK 2018, Administrative and Public Law)

*“He very quickly understands any issue you put before him and he can think strategically on any point. He is a rare talent.”* (Chambers UK 2018, Inquiries and Inquests)

*“He is a tower of strength. He is a formidable cross-examiner and very good to work with.”* (Chambers UK 2018, Consumer Law)

*“He has excellent commercial awareness and provides advice on how to achieve practical resolutions.”* (Legal 500 2018, Professional Negligence)

*“Combines clear and persuasive drafting with fearsome advocacy.”* (Legal 500 2018, Administrative and Public Law)

*“[An] extremely compelling advocate.”* (Legal 500 2018, Inquests and Inquiries)

In the area of insurance law, Jonathan acts for and against major insurers, reinsurers and underwriting agencies in litigation and arbitration. He also has experience in advising on, and drafting, policy wordings, agency agreements, binding authority agreements, etc. He has particular expertise in the following classes of risk: general commercial liability (EL/PL/Products); property; motor; professional indemnity; legal expenses; trade credit; D&O; title insurance; personal accident / disablement; and financial risk.

His professional liability practice covers a range of professions, including lawyers, insurance professionals, surveyors and financial professionals. He is very experienced in substantial litigation for and against professionals, and in related insurance matters. One of his cases in this field was featured in The Lawyer’s Top 20 Cases of 2018.

He has broad experience of commercial dispute resolution in a wide range of business fields, including international work. In addition, he has particular expertise in consumer law, consumer credit and financial regulation.

In the field of public and administrative law, he has acted for public and private bodies in numerous judicial review claims of many different kinds. His work in this area includes local government law, commercial / financial regulation and professional discipline. He is also well known for his work in major inquests and public inquiries. As well as acting in very many reported cases in the Administrative Court and Court of Appeal, he has appeared as counsel to the inquiry in various important inquests. Recently, he has been leading counsel to the inquiry in the Hillsborough Stadium Disaster Inquests (2014-16) (appointed by Lord Justice Goldring), in the Westminster Bridge Terror Attack Inquests (2018) and in the London Bridge Terror Attack Inquests (2019) (appointed by the Chief Coroner). He was also counsel to the inquiry in the inquests concerning: the death of Diana, Princess of Wales; the shooting of Jean-Charles de Menezes; the Potters Bar rail disaster; the Grayrigg rail disaster; and the explosion on HMS Tireless (nuclear submarine). He has appeared and advised in several public inquiries, and is currently acting for a major insurer in the Independent Inquiry into Child Sexual Abuse.

## Privacy Policy

Click here for a [Privacy Policy](#) for Jonathan Hough QC.

## Areas of Expertise

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## Public Law and Human Rights

Jonathan has a wide range of experience in public and administrative law, advising and acting for public bodies, companies and private individuals in judicial review claims. He has almost unrivalled experience and expertise in the law relating to coroners and inquests. His broader public law experience extends to matters of local government finance, transport regulation, illegal trading, financial and professional regulation.

He is recommended by both Chambers UK and the Legal 500 as a leading silk in both administrative and public law and public inquiries and inquests. Shortlisted by Legal 500 for Public Law Silk of the Year 2018.

Comments in recent editions of the directories include the following:

**“A master of the detail and the strategy.”** (*Legal 500 2021, Administrative & Public Law*)

**“Incredibly thorough and absolutely great at getting into the detail himself but also at presenting things to clients in a really straightforward and simple way. That sounds like what you expect from any lawyer, but when you encounter someone who is as good at it as he is it’s really quite outstanding.”** (*Chambers & Partners 2021, Administrative & Public Law*)

**“The perfect example of an advocate who has the ear of the court. When he speaks the chair listens because they know he says reasonable and sensible things.” “He is astonishing – he is extraordinarily responsive, prompt, meticulously organised and his attention to detail is superb. Clients find him a joy to work with and the quality of his work is exemplary.” “He is still the go-to for coroners across the land as he knows so much about the conduct of inquests.”** (*Chambers & Partners 2021, Inquests & Public Inquiries*)

**“A leading light for his knowledge and application of inquest law. He works very hard and is a very effective advocate.”** (*Legal 500 2021, Inquests & Inquiries*)

**“He’s incredibly bright and the judges respect him enormously. For things that require high levels of intellect, he’s your man.” “He’s got an immense intellect but can explain things in a very straightforward way. He almost knows what the other side’s next steps will be: he’s already got his contingency plans in hand and a proper strategy around the case you’re running.”** (*Chambers UK 2020, Administrative and Public Law*)

**“An exceptional inquest expert. He’s ideal as counsel to the inquest because he’s very measured, balanced and well suited to holding the reins in the right way.” “The classic example of how it should be done.” “He has the reputation as the go-to leading counsel on all inquest matters and is quite rightly the trusted adviser to coroners up and down the country. He can make fantastic written and oral submissions and is incredibly quick on his feet.”** (*Chambers UK 2020, Inquests and Inquiries*)

**“His preparation is meticulous, his advocacy is incisive, his attention to detail is superb and his thought process is unchallengeable.”** (*Legal 500 2020, Inquests and Inquiries*)

**“Simply brilliant in all respects and does everything with personality, wit and charm.”** (*Legal 500 2019, Administrative and Public Law*)

**“He’s incredibly intelligent and knows the law inside and out. He takes a very structured approach and is able to think with absolute clarity.”** (*Chambers UK 2019, Inquests and Inquiries*)

**“Simply brilliant in every aspect of his trade. He is the coronial law expert at the Bar.”**(*Legal 500 2019, Inquests and Inquiries*)

**“Deeply impressive... He is brilliant on the law but also has a strategic way of approaching problems. It is usually impossible to argue against his logic.”** (*Chambers UK 2018, Administrative and Public Law*)

**“A true expert in coronial proceedings. He is a barrister who has extensive experience of acting as counsel to the inquests.**

**His written and oral submissions are impeccable. He's the man most coroners would want in their corner." "He very quickly understands any issue you put before him and he can think strategically on any point. He is a rare talent." (Chambers UK 2018, Public Inquiries and Inquests)**

**"Combines clear and persuasive drafting with fearsome advocacy." (Legal 500 2017, Administrative and Public Law)**

**"A leader in coronial law and an extremely compelling advocate." (Legal 500 2017, Public Inquiries and Inquests)**

**"Recommended for his phenomenally deep knowledge of coronial law. He offers expert advice to coroners on all aspects of inquests and is regularly called upon to handle the most high-profile cases... 'He is the oracle for inquest work, he is just brilliant. His written submissions are particularly strong, they are so well formulated that they become almost unanswerable. His preparation is meticulous, he thinks like a judge.'" (Chambers UK 2017, Public Inquiries and Inquests – band 1 leading silk)**

**"Urbane and has the confidence of the court. He is a delight to work with and has an encyclopaedic knowledge of the law." "The master of reply when on his feet, he can deal with any oral submissions made..." (Chambers UK 2016, Public Inquiries and Inquests)**

**"There is no one who knows more about coronial law than him" (Legal 500 2016, Public Inquiries and Inquests)**

He has appeared in several important cases on the scope and application of Convention Rights. For example, he appeared for the successful intervening insurers in the House of Lords in *Wilson v First County Trust* [2004] AC 816, the leading case on the compatibility of domestic consumer credit law with the ECHR. He also appeared in the case which decided that domestic law of self defence is compatible with Article 2 of the ECHR (*R (Bennett) v HM Coroner for Inner South London* [2006] HRLR 22) and in the case which set the balance between a news organisation's source protection rights and the need for thorough public inquiry by a tribunal. He acted in landmark proceedings concerning the circumstances in which a person in hospital intensive care is "deprived of liberty" under Article 5 of the ECHR: *R (Ferreira) v Inner South London Coroner (Intensive Care Society and others intervening)* [2017] 3 WLR 382. He appeared for the Chief Coroner of England and Wales in the important case of *R (Adath Yisroel Burial Society) v HM Senior Coroner for Inner North London* [2019] QB 251, which concerned the circumstances in which coroners could prioritise consideration of deaths on religious grounds and raised various issues under Articles 9 and 14.

Jonathan is top-ranked by Chambers directory in the field of inquiries and inquests. He has acted as counsel to the inquiry in the inquests concerning: the Hillsborough Disaster (Lord Justice Goldring); the death of Princess Diana (Lord Justice Scott Baker); the shooting of Jean-Charles de Menezes (Sir Michael Wright); the Potters Bar Rail Disaster (HH Judge Baker QC); the Grayrigg Derailment; the explosion on HMS Tireless (nuclear submarine); the fatal shooting of PC Terry in firearms training; the killing of Sabina Akhtar; the death of Dale Burns (following designer drug use and police Taser applications). He appeared for the MOD in the Bloody Sunday Inquiry. He is now appearing for a major insurer in the Independent Inquiry into Child Sexual Abuse. He acted as counsel to the inquiry both in the Westminster Bridge Terror Attack Inquests and in the London Bridge Terror Attack Inquests, having been appointed by the Chief Coroner.

Jonathan has appeared in over 30 reported judicial review claims against coroners in the Administrative Court and Court of Appeal.

## Cases

- **R (Ferreira) v HM Senior Coroner for Inner South London**

Landmark case concerning Article 5 rights in the context of hospital intensive care. The first case to consider the circumstances in which a person is "deprived of liberty" in an ICU. Jonathan appeared in the Divisional Court and Court of Appeal for the coroner whose decision on the issue was upheld at both levels.

- **Hillsborough Disaster Inquests and related litigation**

Acting as counsel to the inquiry, appointed by Lord Justice Goldring, in these historic inquests from 2013 to 2016. Jonathan was responsible for the legal argument on behalf of the inquiry team and examined half the key witnesses. He advised the Judge on

public law issues and acted for him as an interested party in a JR claim by police officers against a PCC's funding decision: *R (Duckenfield) v SYPCC* [2015] EWHC 3149 (Admin).

- **Inquest into the Death of Diana, Princess of Wales, and related litigation**

Acting as counsel to the inquiry in the inquests into the deaths of Diana, Princess of Wales, and Dodi Al Fayed. He appeared for the coroners, Lord Justice Scott Baker and Lady Butler-Sloss in all the satellite litigation: *R (Paul) v HM Coroner for the Queen's Household* [2008] QB 172; *HM Asst Deputy Coroner v Channel 4 TV Corp.* [2008] 1 WLR 945; *R (Paul) v HM Asst Deputy Coroner for Inner West London* [2008] 1 WLR 1335; *R (Al Fayed) v HM Asst Deputy Coroner for Inner West London* [2008] EWHC 713 (Admin).

- **Inquest into the death of Jean-Charles de Menezes and related litigation**

Acting as counsel to the inquiry in the inquest into the shooting of Jean-Charles de Menezes by firearms officers. Jonathan successfully resisted the challenge to the coroner's initial decision to adjourn the inquest pending criminal proceedings: *R (Pereira) v HM Coroner for Inner South London* [2007] 1 WLR 3256. He also successfully resisted an urgent judicial review challenge to Sir Michael Wright's jury directions: *R (de Menezes) v Asst Deputy Coroner* [2008] EWHC 3356 (Admin).

- **Inquests into the Potters Bar Rail Disaster**

Acting as counsel to the inquiry in these major inquests into one of the worst rail disasters in recent UK history. Over the two-month inquests hearing, Jonathan examined a large number of the key witnesses.

- **Worcestershire CC v HM Coroner for Worcestershire**

Appearing successfully in this case which established a coroner's right to obtain from a Local Safeguarding Children Board the reports prepared in a Serious Case Review into the death of a child. The case was of such importance as to result in a Chief Coroner's Law Sheet being published about it.

- ***R (The Green Transport Co Ltd) v West Midlands Integrated Transport Authority***

A judicial review challenge by a West Midlands bus company to a concessionary reimbursement scheme and decisions of an Integrated Transport Authority. The judgement is the leading authority on the interpretation and application of important provisions of the statutory scheme for concessionary reimbursement of bus operators.

- ***R (Crookenden) v ICAEW***

Judicial review claim against the national professional association for accountants, raising serious issues of substantive and procedural unfairness in professional disciplinary proceedings.

- ***R (Lewis) v HM Coroner for Shropshire***

Leading case on standards of causation in coroners' narrative verdicts in Article 2 inquests. Jonathan successfully resisted the claim and appeal, the Court of Appeal holding that the state's procedural obligation under Article 2 does not require a coroner's inquests to make findings on matters which were not causally relevant to death.

- ***London Borough of Southwark v Sanli and Bankside Catering Ltd***

Acting successfully for a local authority in proceedings to claim injunctions prohibiting illegal street trading by an organised group in the Bankside area of London. Jonathan later acted successfully in a similar claim by another local authority against the same group, which had by then moved to a different part of London: *Lambeth LBC v Sanli and Meli* [2012] EWHC 1623 (QB).

- **Judicial Reviews of Porton Down Nerve Agent Experiments Inquests**

Jonathan advised the Wiltshire coroner on the inquest concerning the nerve agents experiments at the MOD Porton Down facility in the 1950s. He appeared for the coroner in both judicial review challenges to the inquest. See *R (MOD) v HM Coroner for Wiltshire and Swindon* [2006] 1 WLR 134 and [2006] Inquest LR 32.

- ***McDonnell v HM Assistant Coroner for West London***

Successfully resisting a challenge to the conclusions of a coroner in a complex death in hospital inquest.

- ***R (Adath Yisroel Burial Society) v Senior Coroner for Inner North London* [2019] QB 251**

In this widely-reported case, the Divisional Court considered the lawfulness of a policy adopted by the Defendant Coroner that



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she would not prioritise the handling of any death for religious reasons. The Court's conclusion was that the policy was an unlawful fetter on discretion and unreasonable; infringed Article 9 and Article 14 rights; and was discriminatory. Jonathan acted for the Chief Coroner of England and Wales, who was an interested party, and he made submissions critical of the policy which were accepted by the Court.

- **R (Maughan) v HM Senior Coroner for Oxfordshire [2019] EWCA Civ 809**

Important Court of Appeal decision in which the Court concluded that the standard of proof for findings of suicide in coroners' courts should be the civil standard, rather than the criminal standard (which had been generally thought to apply before this case). The Court also addressed the standard of proof for findings of unlawful killing, holding that it remained the criminal standard. Jonathan appeared for the Chief Coroner, intervening to assist the Court.

## Qualifications & Memberships

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Jonathan is a member of the Professional Negligence Bar Association, the London Common Law and Commercial Bar Association, COMBAR and the Administrative Law Bar Association. He is an editor of the current edition of Jackson & Powell on Professional Liability.

### Education

St Hugh's College, Oxford University (First Class in Classics); City University CPE (Commendation); Inns of Court School of Law (Outstanding); Queen Mother major scholarships for CPE and Bar School.

## Insights

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### **The Court of Appeal clarifies the law on Part 36 offers of settlement: C v D [2011] EWCA Civ 646**

31 May 2011

In C v D [2011] EWCA Civ 646 the Court of Appeal (composed of Rix, Rimer and Stanley Burnton LJ) held that a Part 36 offer was not capable of being time limited and that, against that background, a reasonable interpretation of an offer expressed to be a Part 36 offer and to be "open for 21 days" was that the offer would not be withdrawn during such a period, not that it would automatically lapse thereafter.

### **Hillsborough and the recent history of high-profile inquests**

11 May 2016

Corporate Crime analysis: Jonathan Hough QC, barrister at 4 New Square Chambers, explores the history of high-profile inquests and suggests dramatic changes in recent times with large-scale inquests, such as Hillsborough, starting to resemble major public inquiries or pieces of litigation.